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EMANCIPATION

ITS COURSE AND PROGRESS,

FROM 1491 B. C. TO A. D. 1875,

WITH A REVIEW OF

PRESIDENT LINCOLN'S PROCLAMATIONS,

THE XIII AMENDMENT,

AND THE

PROGRESS OF THE FREED PEOPLE SINCE EMANCIPATION;

WITH A HISTORY OF

THE EMANCIPATION MONUMENT:

BY JOS. T. WILSON.

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PREFATORY.

With some leisure, it has been my wonted pleasure to aid in making several of the news-papers published in the interest of the Freedmen interesting, by gratuitous contributions of letters on general, local events, and important subjects.

They may not have been scholarly written, as their author is but a student, yet, that they, or some of them were interesting is to be inferred from the fact that not unfrequently, they have been copied in foreign publications.

The substance of the pages which follow were prepared for publication in one of the papers referred to above, during the Christmas and New Year holidays of 1881 and 1882, but early in October, 1881, the editor found it necessary to suspend the publication of "Thomas" contributions—though solicited—as they were offensive to a class of politicians who do not favor the Negroes' advancement educationally—politically—consequently, rather than chance the ground-work of these pages going into a waste-basket, they were published in a pamphlet, November, 1881. The edition was immediately taken. Now yielding to the importunities of friends, and to supply the demand for information upon the subject of Emancipation, and to give a full, yet succinct account of its progress and effects, I have revised, enlarged, and recodified the work which I submit to a generous public, hoping its contents may prove of interest to the reader and help preserve the records of the achievement of man's highest ambition on Earth—Emancipation.

J. T. W.

Norfolk, Va., July, 1882.

DEDICATION.

TO THE YOUTH OF THE PRESENT GENERATION,
A RECORD
OF THE DELIVERANCE OF THEIR ANCESTORS FROM
BONDAGE AND OPPRESSION,
THIS VOLUME IS RESPECTFULLY DEDICATED.

CONTENTS.

	<i>Page.</i>
PREFATORY	3
CONTENTS	5
INTRODUCTORY	7
<i>Emancipation in</i>	
Austria.....	13
Brazil.....	31
Britain.....	11—15
Buenos Ayres.....	13
Burmah.....	13
Bolivia.....	13
Ceylon.....	13
Chili.....	13
Columbia.....	13
Cape Colony.....	13
Cuba	13—30
Denmark.....	12
Egypt.....	10
France.....	12
Guatemala.....	13
Hayti.....	12
Java	13—21
Mexico.....	13
Malacca	13
Montevideo.....	13
Porto Rico.....	32
Portugal.....	32
Peru.....	13
Prussia	12
Russia.....	21
Spain.....	11
Tunis.....	21
United States	35
Uruguay.....	21
Emancipation poem.....	33
Emancipation, its Cause and Progress.....	98
Since Emancipation.....	138
Emancipation Monument.....	157
Emancipation by the Indians.....	194
Emancipation Proclamations.....	204
Ratification of the Thirteenth Amendment.....	210
Number of Slaves Emancipated.....	213
Declaration of Independence	216
Constitution of the United States.....	222

INTRODUCTORY.

This work is intended to supply a need the author believes exists generally, regarding the more important acts and events of the abolition of slavery, and to avoid searching through numerous histories therefor as is now the case. It is not a history of Emancipation, but a codification of the several acts by which the institution of slavery, peonage, vassalage and serfdom, or what other name may be used to signify oppression, has been abolished in the several countries of the civilized world.

In several cases the bare date of the act is mentioned, while lengthy comment is made upon others. Where slavery died almost of itself, unattended by serious opposition, or existed nominally, comment is deemed unnecessary.

That some acts are omitted is evident, since no special record has been kept of the Emancipation in many minor states and kingdoms in Asia, Africa, and the Isles of the Seas.

A review of abolition in this country affords information that the general reader can obtain only from the voluminous reports of Congress and histories of the late war, running through a period of years. A contrast of the Emancipation in Russia with that in the United States, can be drawn almost minutely by the comments made. It is rather to aid in correcting an error of many, especially the Freedmen, who celebrate the 1st day of January as the birth of their freedom, because, on that day the President, as Commander of the army and navy, issued his proclamation of Emancipation, that a cursory review of the 13th Amendment is given. A full account of the Emancipation Monument is given to show the appreciation of the Freedmen of their freedom: the author being a member of the unveiling committee and present at the ceremonies, is enabled to be accurate in giving an account of the same.

The chapter "Since Emancipation," is from the pen of Henry A. Monroe, a young and ardent Methodist preacher, of Maryland, editor of "The Standard Bearer," and "The Conference Standard."

Emancipation by the Indians:—This information was not obtained in time to appear in its proper place, but the author thought best to insert the article rather than omit it altogether.

EMANCIPATION.

Of the causes and revolutions which men, from the earliest period of recorded time engaged in, none seems so memorable as the abolition of slavery, no event, save that of the coming—the birth of the Saviour—is so rejoiced in as that of the abolition of slavery, by the civilized nations, and rightly so; of the crimes mentioned in the decalogue, human slavery takes rank of them all.

History fails to give the date or period of the beginning of slavery; the world consequently is ignorant of when it began; the sacred history records the sale of Joseph. Some writers claim this to be the beginning, but whether it was or not it matters but little, since now it seems confined to the dark continent of Africa, and it, civilization is now assaulting with all its mighty force of learning, culture, and enterprise.

However, it has been one of the institutions of every clime and country, in every part of the globe. It was thought that Australasia was an exception, but when the tests of civilization were applied, Australasia had her slaves, as well as Rome. It seems it was the ruling passion of man, regardless of color or race, throughout the dark ages, to enslave his fellow man, for the same cause and upon the same basis that they buy

and sell each other in Africa. Slavery was the rule as a punishment dealt to all conquered tribes, races and nations.

Individual emancipation was not even in the earliest days an uncommon thing, but of races and nations, seldom—if ever.

Civilization and freedom evidently march side and side; victory for one means victory for the other, and the nations barbaric, in turn, that have had to deal with it, that have felt the oppressors' power, now rejoice in freedom—though perhaps it cost more of blood and treasure than any other cause man ever engaged in. The price of freedom in our own country, expensive as it was in lives and money, is not to be compared, does not approximate, will not add a cipher to its cost to the Eastern nations.

Though no knowledge of its beginning, the chroniclers have kept record of its abolition, and thus runs the record of the more important epochs.

1491. God appeared to Moses in a burning bush, and
B. C. commanded him to go to Egypt, and there he performed many miracles, and inflicted ten successive plagues on Pharaoh, consequently the iron-hearted monarch allowed the Israelites to depart for a land of freedom, they having completed their four hundred and thirtieth year of sojourning in Egypt. Moses, their leader, led them to the shore of the Red Sea, and God opened a passage through the Sea, and the Israelites passed

through and into the desert Etham, by which means they became free.

Britain—Slavery existed when it entered into history, and continued till long after the conquest, though in a milder form than when first known.

670.
690.
A. D. Through the influence of the Church under Archbishop Theodore, who first governed the English Church emancipation became frequent by *will* and by authority of the church. St. Wilfred, a Saxon bishop, manumitted all the slaves on his estates. The clergy in council at Calcuith, agreed that at their decease their slaves should be free. Eventually the slave trade was prohibited; England had been furnishing slaves to the pirates—kidnappers that visited her coast—and they the slave markets of the East; notwithstanding its prohibition it was not until during the reign of the first Norman king that the trade was interdicted.

1102. The great council of England decreed the abolition of slavery. Yet Britons were carried into Ireland and sold until the Irish parliament passed the memorable
1171. decree of *mercy*, giving freedom to all the English slaves in Ireland; this prevented further importation and destroyed the trade.

1500. Isabella, Queen of Spain, decreed all the North American Indians in her European possessions free. Hundreds of Indians had been transported thither by the reputed discoverers of the Western Continent—Columbus, and other voyagers immediately following him—and sold into slavery.

1553. To John Hawkins is due, by the record, the credit of inaugurating the traffic in African slaves and their introduction into the English colonies in the new world. The government of England, the Crown, and merchants of Southampton, all shared in the lucrative Guinea slave trade.

1769. The British Courts of Justice held "That every slave was free as soon as he set foot upon British ground."

1776. The Prussian edict abolishing slavery.

1792. *Denmark*—abolished both the foreign slave trade and the importation of slaves into her colonies, the prohibition to take effect in 1804.

1793. *Hayti*—The liberation of slaves in this State was by commissioners appointed by the French government at Paris as *Charge de affairs* of the Island of St. Domingo. Their proclamation was ratified by the assembly and made valid in 1794, though the English were then in possession of the coast.

In 1802 Napoleon Bonaparte, as first Consul of France and sanctioned by the legislature thereof, landed an army at Samana for the purpose of re-enslaving the Negro inhabitants of this State, but the heroism of the Freedmen defeated the army, and to this day they remain free.

1794. The French manumission decree abolishing Negro slavery in St. Domingo, Hayti, Cayenne, Guadaloupe, Martinique.

- 1811. *Java.*
- 1815. *Ceylon.*
- 1816. *Buenos Ayres, St. Helena.*
- 1820. *Chili, Columbia.*
- 1823. *Cape Colony.*
- 1825. *Malacca.*
- 1826. His Imperial Majesty of Austria promulgated the following ordinance prohibiting slavery in Austrian territory:

“In order to prevent Austrian subjects and vassals from participating in any manner in the slave trade, and in order to prevent slaves from bad treatment, his Imperial and Royal Majesty in conformity with the existing laws of Austria, which determines that every human being in virtue of those rights which are recognized by *reason*, is to be considered a civil person, and that, therefore, slavery and every exercise of power relative to the state of slavery, are not tolerated in the Imperial and Royal dominions, and further, in conformity with section 78, of the first part of the penal code, which declares every hindrance of the exercise of personal liberty a crime of public violence, has been graciously pleased by his Sovereign resolution of June 26, '1826, to determine and order as follows: Art. 1. Any slave from the moment he treads on the soil of the Imperial and Royal Dominions of Austria, or even merely steps on board of an Austrian vessel, shall be free.”

- Burmah, Bolivia.*
- 1828. *Peru, Guatemala, Montevideo.*
- 1829. *Mexico.* For several years the people of this country strove to emancipate their slaves, beginning with a prohibitory enactment against importation of slaves into any of the Mexican States, which their Congress enact-

ed in 1823, and again in 1824 freed all slaves brought into the country. The states of Coahuila and Texas in 1829 enacted that no child should be born a slave within their geographical limits.

The President of the United Mexican States issued the following decree abolishing slavery in Mexico :

“TO THE INHABITANTS OF THE REPUBLIC.

Be it known that in the year 1829, being desirous of signaling the anniversary of our independence by an act of national justice and beneficence, which may contribute to the strength and support of such inestimable welfare as to secure more and more the public tranquility, and reinstate an unfortunate portion of our inhabitants in the sacred rights granted them by nature, and may be protected by the nation, under wise and just laws according to the provision in article 30 of the constitutive act, availing myself of the extraordinary faculties granted me, I have thought proper to decree

1st, That slavery be exterminated in the Republic.

2d, Consequently those are free, who, up to this day, have been looked upon as slaves.

3d, Whenever the circumstances of the public treasury will show it, the owners of slaves shall be indemnified, in the manner which the laws shall provide.

JOSE MARIA DE BOCANEGRA.

Mexico, September 15th, 1829, A. D.

The great difficulty in abolishing slavery in Mexico was its adjacency to the slave holding portion of the United States and the foreign population in that country as land speculators, the validity of whose claims rested upon a division of the country and the permanent establishment of slavery therein; the sea coast and

the states of Texas and Carolina, were in the hands and not long after under the control of this class of foreigners through native influence, influenced by prospective gain to accrue from slave labor in the cultivation of cotton. That they were successful, in part at least, may be seen by what followed the independence of Texas and her annexation to the United States; before however she was annexed, her constitution fully sets forth in this language, section 10: "All persons, (Africans, and descendants of Africans and Indians excepted) who are residing in Texas on the day of the declaration of independence, (a great portion of the native Mexican citizens are of course excluded) shall be considered citizens of the Republic, and entitled to all the privileges of such." This section was preceded by one which gave to citizens of the United States the right to bring their slaves into the Republic and hold them, and excluded free Negroes from the territory, thus, notwithstanding the emancipation of Mexican slaves, citizens of the United States by the aid of the United States government, succeeded in wresting Texas from Mexico and establishing slavery therein.

The testimony of authentic history attests the notorious fact, that the African slave trade was carried on by the British nation for more than two centuries under the patronage of its government, protected by charters of monopoly and public treaties, not only for the supply of her own colonies, but those of Spain and 1713. France. The memorable treaty of Utrecht, between

Great Britain and Spain regulating commerce and navigation, by which the Spanish war of succession was terminated, the balance of power in Europe confirmed, granted to her Britanic Majesty, and her South Sea Company, exclusively, with Spain, the contract to import African slaves into parts of his Catholic Majesty's dominion in America, at the rate of 4800 yearly.

It was not until Thomas Clarkson succeeded in calling the attention of Parliament to this odious traffic in 1786, three years after the American war had closed and peace declared, that even a voice was raised against it in Britain, and it was sometime after this before Clarkson and Wilberforce organized a society for the abolition of the African slave trade. In Great Britain there were no slaves, the famous decision of the British Courts of justice, 1769, decreeing "That every slave was free as soon as he had set foot upon British ground," emancipated all the slaves in Britain, but not those in the West Indian colonies; however the people in Britain became aroused and demanded the interdiction of the trade, a petition signed by three fourths of a million of women was presented to Parliament, asking its abolition, which was strongly opposed by the maritime power of the country, a trade so lucrative was not easily overthrown, but finally, after a half century of agitation, Parliament passed an act, abolishing it in 1806, but the trade was not fully interdicted until the treaty between Great Britain and the United States was signed, 1814. With the suppression of the slave trade

1833.the freedom of the slave was demanded and the Parliament passed the following Act:

1834. "Be it enacted, that all and every of the persons, who, on the first day of August one thousand eight hundred and thirty four, shall be holden in slavery within such British Colony as aforesaid, shall, upon, and from and after the first day of August, 1834, become and be to all intents and purposes, FREE and discharged of and from all manner of slavery, and shall be absolutely and for ever manumitted; and that the children thereafter to be born to any such persons, and the offspring of such children shall in like manner be free from their birth; and that from and after the first day of August, 1834, slavery shall be and is hereby utterly and for ever ABOLISHED and declared unlawful throughout the British Colonies, Plantations and possessions abroad." Act of 3 and 4, WILLIAM IV.

The emancipation cost the government £20,000,000 : the owners of the slaves were recompensed. This emancipation however was not immediate and unconditional, what was called an apprentice system took the place of slavery, thus making emancipation gradual; the freed people by it were required to work six years for their former masters without wages, except one day and a half in each week, which time was theirs to work for themselves; this apprenticeship did not prove profitable to the planters, and many of them gave immediate freedom to their slaves and hired them. The English people became so dissatisfied with the treatment of the apprentices, by the planters who accepted the system, that they petitioned Parliament for the immediate emancipation of the apprentices. Parliament

1838, passed the immediate Emancipation Act giving freedom to all the apprentices and their posterity, forever.

The following is the speech of VICTORIA REGINA to the Parliament Feburary 3, 1839.

“MY LORDS AND GENTLEMEN :—

It is with great satisfaction that I am enabled to inform you, that throughout the whole of my West Indian possessions, the period fixed by law for the final and complete emancipation of the Negroes has been anticipated by the acts of Colonial legislature, and that the transition from the temporary system of apprenticeship to entire freedom, has taken place without any disturbance of public order and tranquility. Any measures which may be necessary in order to give full effect to this great and beneficial change will, I have no doubt, receive your careful attention.”

The Acts included the following Isles : Jamaica, Barbadoes, the Bermudas, Bahama, Anquilla, Mauritius, St. Christopher, Nevis, Virgin Island, Antigua, Montserrat, Dominica, St. Vincent, Grenada, Berbice, Tobago, St. Lucia, Trinidad, Honduras, Demerara, Essequibo and the Cape of Good Hope, and three Colonies in the East Indies.

The pride with which the English People looked upon the freeing of the slaves and the effect it had upon the localities where it took place can best be told by English writers. Mr. Fyfe, in his *British Enterprise Beyond the Seas*, says—

“The story of the agitation against slavery in England, which was conducted by Clarkson, Wilberforce, Buxton, Brougham, and others, is so well known that

it need not be re-told here. The proposal to deprive slave holding of its legality, not merely in the mother country, where the principle of emancipation had already been acknowledged, but in every nook and corner of the British dominions, was, of course, received with the most passionate opposition in the West India Islands. Nothing could be more gloomy or repelling than the pictures which the planters drew of the rapine and licentiousness into which the Negroes would plunge when restored to their legitimate position as human beings. Fortunately neither such predictions nor the heavy price which had to be paid in compensation to the slave owners could deter the British Parliament from authorizing that great measure which fills one of the proudest pages in our annals. A gift of £ 20,000,000 sterling to the "West India interest" purchased the freedom of the slaves in those parts. A six years' apprenticeship formed an intermediate stage between slavery and absolute liberty. A large proportion of the negroes celebrated the hour of their emancipation by a solemn thanksgiving. There were no outbreaks of revenge; there was no license, no rapine. As was to be expected, however, the unfortunate blacks did not for years learn the blessings of voluntary industry. As long as they had enough to eat and drink they would not work; and "Quashy up to the eyes in pumpkins" became a type of sloth and sensual enjoyment of the lowest kind. This was the natural result of the period of degradation through which they had passed. It is cheering to

know that this state of things has almost passed away. Jamaica is recovering its enterprise and prosperity, and the colored population is not the least intelligent and industrious portion of the community. The colony now comprises fifteen thousand whites and two hundred and fifty thousand colored people, and the latter are admitted to a voice in the administration of the island.

The soil of Jamaica is very fertile, and the scenery is lovely beyond description. From one end of the island to the other runs a huge back-bone of lofty and precipitous mountains, whose gaunt black sides are clothed with forest. Beneath these rise rich green hills, crowned with feathery palms, beef trees with leaves of the blood-red hue of raw flesh, gigantic silk-cotton trees, cocoa-nut and orange groves. Below, plantations and Negro villages are mingled on the plain. Here you may see a sugar estate, with its white houses, tall chimneys, busy wind and water wheels, and waving fields of dark-green cane, tipped, perhaps, with lilac blossoms. There, meadows of golden guinea-grass, and Negro villages, peeping through bowers of plaintain and oaananas, meet the eye. On a lower level you come upon a beach of glistening sands, which looks like snow in contrast to the black patches of mangrove. The deep blue sea, from the placid bosom of which springs this land of beauty, the bright unclouded sky which overhangs it, and the intense sunlight which illumines it, add to the enchantment of the scene. Yet this charming landscape has its dark side, too, in deserted plantations, with

offices in ruins, and fields over which the primitive forest has begun to resume its sway. These gloomy features are, however growing rarer every year. Reviving enterprise is building up again the crumbling walls, and restoring the neglected acres to cultivation."

1842. The Bashaw of Tunis forbade the slaves in his vast realm being sold, and closed all the slave marts; he inaugurated measures for the emancipation of all the slaves in his realm. He said, "I began with pleasure the abolition of slavery, and I will not cease to prosecute the great work of emancipation, until I have completely extirpated slavery from my dominions." He freed all his own slaves, and many of his courtiers followed his example until the work of emancipation was completed.

Uruguay. A decree of the government said: "From and after the promulgation of the present resolution, there shall be no slaves in this Republic."

1859. *Java.* The Dutch government decreed the freedom of all slaves, in all their colonies.

1863. Emancipation of the serfs in all the Russias.

"I have had occasion, formally, to remind the Senate how completely the Emperor has done his work. Not content with issuing the decree of Emancipation, he has proceeded, by an elaborate system of regulations, to provide in the first place, for what have been called the Civil Rights of all the recent serfs; then, again, to provide for their rights in property, securing to every one of them a homestead; and then, again, by providing for them rights of public education. Added to all these he has secured to them also political rights, giv-

ing to every one the right to vote for all local officers, corresponding to our officers of the town and of the county. It is this very thoroughness with which he has carried out his decree of Emancipation."

Sumner, U. S. Senate.

This speech fully explains the decree, in its munificence. A minute account of the course and obstacles preceding Emancipation, together with a glance of the emancipated serfs' conduct thereafter, since Russian serfdom bore such an analogous relation to American slavery, may not be uninteresting to the reader. Under the head of "*Emancipation*" Mr. Dixon in FREE RUSSIA says:

"On the day when Alexander the Second came to his crown, (1855), both lord and serf expected from his hands some great and healing act. The peasants trusted him, the nobles feared him. A panic seized upon the landlords. "What," they cried, "do you expect? The country is disturbed; our property will be destroyed. Look at these louts whom you talk of rendering free! They can neither read nor write; they have no capital; they have no credit; they have no enterprise. When they are not praying they are getting drunk. A change may do in the Polish provinces; in the heart of Russia, never!" The Government met this storm in the higher circles by pacific words and vigorous acts; the Emperor saying to every one whom his voice could reach that the peril lay in doing nothing, not in doing much. Slowly but surely his opinion made its way.

Addresses from the several provinces came in. Committees of advice were formed, and the Emperor sought to engage the most active and liberal spirits in his task. When the public mind was opened to new lights, a grand committee was

named in St. Petersburg, consisting of the ministers of state, and a few members of the imperial council, over whom his majesty undertook to preside. A second body, called the reporting committee, was also named, under the presidency of Count Rostovtsef, one of the pardoned rebels of 1825. The grand committee studied the principles which ought to govern emancipation; the reporting committee studied and arranged the facts. A mighty heap of papers was collected; eighteen volumes of facts and figures were printed; and the net results were thrown into a draft.

The reporting committee having done their work, two bodies of delegates from provinces, elected by the lords, were invited to meet in the capital and consider this draft. These provincial delegates raised objections, which they sent in writing to the committee; and the new articles drawn up by them were laid before the Emperor and the grand committee in an amended draft.

Up to this point the draft was in the hands of nobles and land-owners; who drew it up in their class-interests, and according to their class-ideas. If it recognized the serf's right to personal freedom, it denied him any rights in the soil. This principle of "liberty without land" was the battle-cry of all parties in the upper ranks; and many persons knew that such was the principle laid down in the late Emperor's secret and abortive act. How could a committee of landlords, trembling for their rents, do otherwise? "Emancipation, if we must," they sighed, "but emancipation without the land." The provincial delegates stoutly urged this principle; the reporting committee embodied it in their draft. Supported by these two bodies, it came before the grand committee. England, France, and Germany were cited; and as the villeins in those countries had received no grants of lands, it was resolved that the emancipated serfs should have no grants of land. The grand com-

mittee passed the amended draft.

Then, happily, the man was found. Whatever these scribes could say, the Emperor knew that forty-eight millions of his people looked to him for justice ; and that every man in those forty-eight millions felt that his right in the soil was just as good as that of the Emperor in his crown. He saw that freedom without the means of living would be to the peasant a fatal gift. Unwilling to see a popular revolution turned into the movement of a class, he would not consent to make men paupers by the act which pretended to make them free. "Liberty and land"—that was the Alexandrine principle ; a golden precept which he held against the best and oldest councillors in his court.

The acts of his committees left him one course, and only one. He could appeal to a higher court. Some members of the grand committee, knowing their master's mind, had voted against the draft ; and now the Emperor laid that draft before the full council, on the ground that a measure of such importance should not be settled in a lower assembly by a divided vote. Again he met with selfish views. The full council consists of princes, counts, and generals—old men mostly—who have little more to expect from the crown, and every reason to look after the estates they have acquired. They voted against the Emperor and the serfs.

When all seemed lost, however, the fight was won. Not until the full council had decided to adopt the draft, could the Emperor be persuaded to use his power and to save his country ; but on the morrow of their vote, the prince, in his quality of autocrat, declared that the principle of "Liberty and land" was the principle of his emancipation act.

On the third of March, 1861 (Feb. 19, O. S.), the emancipation act was signed.

The rustic population then consisted of twenty-two millions

of common serfs, three millions of appanage peasants, and twenty-three millions of crown peasants. The first class were enfranchised by that act; and a separate law has since been passed in favor of these crown peasants and appanage peasants, who are now as free in fact as they formerly were in name.

A certain portion of land, varying in different provinces according to soil and climate, was affixed to every "soul;" and government aid was promised to the peasants in buying their homesteads and allotments. The serfs were not slow to take this hint. Down to January 1, 1869, more than half the enfranchised male serfs have taken advantage of this promise; and the debt now owing from the people to the crown (that is, to the bondholders) is an enormous sum.

The Alexandrine principle of "liberty and land" being made the governing rule of the emancipation act, all reasonable fear lest the rustic, in receiving his freedom, might at once go wandering, was taken into account. Nobody knew how far the serf had been broken of those nomadic habits which led to serfage. Every one felt some doubt as to whether he could live with liberty and law; and rules were framed to prevent the return to those anarchies which had forced the crown to "settle" the country under Boris Godunof and Peter the Great. These restrictive rules were nine in number: (1.) a peasant was not to quit his village unless he gave up, once and forever, his share of the communal lands; (2.) in case of the commune refusing to accept his portion, he was to yield his plot to the general landlord; (3.) he must have met his liabilities, if any, to the Emperor's recruiting officers; (4.) he must have paid up all arrears of local and imperial rates, and also paid in advance such taxes for the current year; (5.) he must have satisfied all private claims, fulfilled all personal contracts, under the authority of his cantonal administration; (6.) he must be free from legal judgment and pursuit; (7.) he must provide for the mainte-

nance of all such members of his family to be left in the commune, as from either youth or age might become a burden to his village ; (8.) he must make good any arrears of rent which may be due on his allotment to the lord ; (9.) he must produce either a resolution passed by some other commune, admitting him as a member, or a certificate, properly signed, that he has bought the freehold of a plot of land, equal to two allotments, not above ten miles distant from the commune named. These rules—which are provisional only—are found to tie a peasant with enduring strictness to his fields.

The question, whether the serf is so far cured of his Tartar habit that he can live a settled life without being bound to his patch of ground, is still unasked. The answer to that question must come with time, province by province and town by town. Nature is slow, and habit is a growth. Reform must wait on nature, and observe her laws.

As in all such grand reforms, the parties most affected by the change were much dissatisfied at first. The serf had got too much ; the lords had kept too much. In many provinces the peasants refused to hear the imperial rescript read in church. They said the priest was keeping them in the dark ; for, ruled by the nobles, and playing a false part against the Emperor, he was holding back the real letters of liberation, and reading them papers forged by their lords. Fanatics and impostors took advantage of their discontent to excite sedition, and these fanatics and impostors met with some success in provinces occupied by the Poles and Malo-Russ.

Two of these risings were important. At the village of Bezdna, province of Kazan, one Anton Petrof announced himself as a prophet of God and an ambassador from the Tsar. He told the peasants that they were now free men, and that their good Emperor had given them all the land. Four thousand rustics followed him about ; and when General Count Apraxine,

overtaking the mob and calling upon them to give up their leader, and disperse under pain of being instantly shot down, the poor fellows cried, "We shall not give him up; we are all for the Tsar." Apraxine gave the word to fire; a hundred men dropped down with bullets in their bodies—fifty-one dead, the others badly hurt. In horror of this butchery, the people cried, "You are firing into Alexander Nicolaivitch himself!" Petrof was taken, tried by court martial, and shot in the presence of his stupefied friends, who could not understand that a soldier was doing his duty to the crown by firing into masses of unarmed men.

A more singular and serious rising of serfs took place in the rich province of Penza, where a strange personage proclaimed himself the Grand Duke Constantine, brother of Nicolas, once a captive. Affecting radical opinions, the "grand duke" raised a red flag, collected bands of peasants, and alarmed the country far and near. A body of soldiers, sent against them by General Dreniakine, were received with clubs and stones, and forced to run away. Dreniakine marched against the rebels, and in a smart action he dispersed them through the steppe, after killing eight and seriously maiming twenty-six. The "grand duke" was suffered to get away. The country was much excited by the rising, and on Easter Sunday General Dreniakine telegraphed to St. Petersburg his duty to the minister, and asked for power to punish the revolvers by martial law. The minister sent him orders to act according to his judgment; and he began to flog and shoot the villagers until order was restored within the limits of his command. The "grand duke" was denounced as one Egortsof, a Milk-Drinker; and Dreniakine soon afterwards spread a report that he was dead.

The agitation was not stilled until the Emperor himself appeared on the scene. On his way to Yalta he convoked a meeting of elders, to whom he addressed a few wise and solacing

words; "I have given you all the liberties defined by the statutes." It was the very first time these peasants had heard of their Emperor's will being limited by law."

Bayard Taylor, the great Poet, thus sings of this great act :

A thousand years, through storm and fire,
With varying fate, the work has grown,
Till Alexander crowns the spire
Where Rurik laid the corner-stone.

The chieftain's sword that could not rust,
But bright in constant battle grew,
Raised to the world a throne august,—
A nation grander than he knew.

Nor he alone; but those who have,
Through faith or deed, an equal part,—
The subtle brain of Yaroslav
Vladimir's arm and Nikon's heart,—

The later hands that built so well
The work sublime which these began,
And up from base to pinnacle
Wrought out the Empire's mighty plan,—

All these to-day are crowned anew,
And rule in splendor where they trod,
While Russia's children throng to view
Her holy cradle, Novgorod,—

From Volga's banks, from Dwina's side,
From pine-clad Ural, dark and long,
Or where the foaming Terek's tide
Leaps down from Kasbek, bright with song,

From Altai's chain of mountain-cones,
Mongolian deserts far and free,
And lands that bind, through changing zones,
The Eastern and the Western Sea.

To every race she gives a home,
And creeds and laws enjoy her shade,
Till far beyond the dreams of Rome
Her Cæsar's mandate is obey'd.

She blends the virtues they impart,
And holds within her life combined
The patient faith of Asia's heart,
The force of Europe's restless mind.

She bids the nomad's wandering cease,
She binds the wild marauder fast ;
Her ploughshares turn to homes of peace
The battle-fields of ages past.

And, nobler far, she dares to know
Her future's task,—nor knows in vain,
But strikes at once the generous blow
That makes her millions men again !

So, firmer based, her power expands,
Nor yet has seen its crowning hour,
Still teaching to the struggling lands
That Peace the offspring is of Power.

Build up the storied bronze, to tell
The steps whereby this height she trod,—
The thousand years that chronicle
The toil of man, the help of God !

And may the thousand years to come—
 The future ages, wise and free—
 Still see her flag and hear her drum
 Across the world, from sea to sea,—

Still find, a symbol stern and grand,
 Her ancient eagle's strength unshorn,
 One head to watch the western land
 And one to guard the land of morn !

Novgorod, Russia, Sept. 20th, 1862.

1870. *Cuba*,—The emancipation of the slaves in this Island met with great opposition. The attempt more than once threatened the loss of the Island to Spain. It kept alive internal brawls and discentions among the inhabitants and the Government for many years. In nearly every revolt against the Crown, and there were several of them, the subject of emancipation entered into if it was not the cause of the uprising, but they all fell short of accomplishing the complete extinction of slavery as well as that of gaining independence. To a great degree, to the puny faith of the Spanish Government and its officials in the Island in carrying out the law for the suppression of the African slave trade in 1845, is to be attributed the failure. It enabled the planters, in order to supply England's demand for sugar, to revive the almost suppressed traffic, which they carried on with redoubled activity. However the agitation of freedom for the slaves grew stronger and louder, in fact assumed such a hopeful and probable altitude that in 1854 the United States authorities assumed a menacing attitude towards Spain. Having failed in negotiations to

purchase the Island for \$1,000,000, the United States Ministers at the Courts of Paris, London and Madrid issued what is known as the *Ostend Manifesto*, in which they held that it was the duty of the United States to prevent emancipation in Cuba; if necessary to forcibly seize and hold the Island.

The most formidable of all the revolutions tending to effect emancipation was that of 1869, in which freedom was proclaimed unconditionally, to all slaves by the revolutionists; this uprising, like those which preceded it, failed. It was not until 1870, at which time the *Cortes* passed an act of gradual emancipation, that any permanent success was achieved; the act passed provided that all children of slave parents born after the 4th of July, 1870, shall be free; it also declared all slaves who had reached the age of 60 years free, and all others on reaching that age; by this act 363,000 were freed in 1870,—287,000 in 1873, and 199,000 in 1876—Prof. N. B. Webster, of Virginia, estimates that in 1882 75,000 will become free by this act, and in 1925 slavery will be extinct in the Spanish colonies.

1871. *Brazil*—Emancipation took somewhat the form and procedure of that in our own country, beginning with the abolition of the African slave trade in 1831, by defect in the law; the final abolition of the traffic however, did not take place until 1850; this was followed by a gradual emancipation act in 1871, which manumitted all the government slaves and 30,000 others.

1873. The Cortes of the young Republic of Spain passed a bill setting free from that day, (March 24th) all slaves in Porto Rico; the bill provided that each owner should receive per head for his slaves the sum of \$200 in American money. To pay this indemnity, seven millions of dollars were raised upon the resources of Porto Rico. The freedmen were compelled by the Act to make contract either with the planters or the Government to work for wages for three years; it also provided in the meantime that exact and wise laws for education should be put into operation.

1875. *Portugal.* The Cortes granted unconditional freedom to all her slaves; the Act provides that one year after its promulgation, the system of apprenticeship under the decree of the 28th of February, 1869, shall cease, and all persons apprenticed by its provisions are declared free. The act also provides for the manner in which freedmen who have no trade or business, or who cannot read or write, may be subjected to tutelage by the civil authorities, but that this right—right of tutelage—shall cease on the 28th of April, 1878. The labor of those under tutelage is declared free, and they are to be at liberty to make their own contracts, subject to the revision of the proper authority, such contracts to be in no case binding for more than two years. The law also makes provision for rendering effective the liberty it concedes. Thus it will be seen that the Act in question puts an end to slavery forever in Portugal and her dependencies, and not only proclaims the

freedom of apprentices and the abolition in the Portuguese dominions of man's apprenticeship to man, but declares that the labor of the apprentices now under tutelage is free, and that they are at liberty to make their own contracts, subject only to the revision of the proper authority. These munificent provisions are exceeded by no nation, save, perhaps, Russia, where humanity dictated the terms, and made ample provisions for the emancipated serfs.

EMANCIPATION.

Whence comes this glory that our land has brightened?

Whence comes this flood of radiance so bright?

The golden cords of sisterhood are tightened,

While heart and voice in praises deep unite.

'Tis heaven's benediction gently falling,

While Justice's voice her erring sons is calling.

They hear, and quickly to the call responding,

Loosen at once each worn and galling chain,

And, kneeling where the boon to him was given,

The freedman feels no suffering was in vain,

For God, the sovereign Lord of earth and heaven,

Has bared his arm and every bond is riven.

From our dear land a cloud of sin is lifted,

O'er her is arched a clearer, brighter sky,

Her rills and founts and brooks with joy are gushing,

While tree tops whisper back a soft reply.

Her people now the hand of God discerning,

From darkness into light their steps are turning.

No more shall mother's hearts be torn with anguish,
No more shall father's souls for vengeance burn,
Sisters no more for brother's care shall languish,
Nor brothers for a sister's love shall yearn.
Their night is past, the morn to-day is breaking,
Each joyful heart to praises sweet is waking.

The star of hope in every bosom shining,
Dispels the gloom that long has darkened there.
They wake, and in the might of freedom rising,
Pour forth the incense of a grateful prayer.
Within them now a spirit breathes immortal,
They soar on wings of faith to heaven's high portal.

The freeman to his lowly cabin turning,
When with the sun his daily labors o'er,
Wipes from his beaming eye the moisture gathering,
To see the group complete about his door.
Love, truth and mercy seem in triumph bending,
While nature's voice, with his mute praise is blending.

Our glorious banner with its hues of heaven,
Far, far and wide all lingering doubt dispels.
No slave beneath its folds now lowly couches,
But safe beneath its stars securely dwells.
O, God, whose hand our fragile bark did'st save,
Leave us not now, we've dangers yet to brave.

Still by thy wisdom let our hearts be moulded,
Still for direction let us look to thee.
In mercy, justice, faith at last perfect us,
That we, thy will concerning us may see.
O, let thy love on all this land descending,
Preserve the Union safe from strife defending.

UNITED STATES.

Emancipation in the United States is entitled to far greater consideration than the opportunity will permit it to be given here, even were it prudent to treat the subject at great length.

With the exception of Georgia, all the colonies partook of the Virginia plan of slave labor in the cultivation of their products. The climate and sentiment of the Northern colonies were adverse to slavery, so much so that after the abolition of Indian slavery, which was rather abolished by moral suasion than legislative enactment, Negro slavery flourished but for a period, when it began, in contrast with its lucrative-ness in the Southern colonies, to lag. The character of the colonists, their spirit and religious training, enters largely into and must account particularly for the progress of the abhorance of slavery and the love of freedom throughout the New World.

1619. When the famous Dutch Ship landed her cargo of twenty African Negroes at Jamestown, the slave trade was more than a century old in the Spanish and Portuguese possessions in America, and for half of that period the importation of African slaves to the West Indies had been carried on by the merchants of Great Britain under the sanction of and in co-operation with the crown; it was therefore no new institution when introduced into the colonies. To prohibit the trade was the desire if not the effort of every good and conscientious citizen of the colonies, but the restrictive policy of

Great Britain, her monopoly of the trade of her colonies, enabled her merchants to keep the nefarious trade alive, despite the wish of the colonists to interdict it, and thus destroy the germ of the great evil. The war of the Revolution for American Independence, very suddenly changed the relations and conduct of the government toward the colonies respecting slavery, the revolt necessitated extreme measures upon the part of Great Britain no less than upon the colonists, who, in order to maintain their opposition to the mother country, armed their slaves ; this course of the rebels prompted the British authorities to offer freedom to all slaves who would join his Majesty's army and navy. The following, perhaps, is the first emancipation proclamation issued to the slaves in the New World, by the British, November, 1775.

By his Excellency the Right Honorable JOHN, Earl of DUNMORE, his Majesty's Lieutenant and Governor-General of the Colony and Dominion of Virginia, and Vice-Admiral of the same,—

“ A PROCLAMATION.

“ As I have ever entertained hopes that an accommodation might have taken place between Great Britain and this Colony, without being compelled by my duty to this most disagreeable but now absolutely necessary step, rendered so by a body of armed men, unlawfully assembled, firing on his Majesty's tenders ; and the formation of an army, and that army now on their march to attack his Majesty's troops, and destroy the well-disposed subjects of this Colony,—to defeat such treasonable purposes, and that all such traitors and their abettors may be brought to justice, and that the peace and good order of this Colony

may be again restored, which the ordinary course of the civil law is unable to effect, I have thought fit to issue this my Proclamation; hereby declaring, that, until the aforesaid good purposes can be obtained, I do, in virtue of the power and authority to me given by his Majesty, determine to execute martial law, and cause the same to be executed, throughout this Colony. And, to the end that peace and good order may the sooner be restored, I do require every person capable of bearing arms to resort his Majesty's standard, or be looked upon as traitors to his Majesty's Crown and Government, and thereby become liable to the penalty the law inflicts upon such offences,—such as forfeiture of life, confiscation of lands, &c., &c. And I do hereby further declare all indented servants, negroes, or others. (appertaining to rebels,) free, that are able and willing to bear arms, they joining his Majesty's troops, as soon as may be, for the more speedily reducing this Colony to a proper sense of their duty to his Majesty's crown and dignity. I do further order and require all his Majesty's liege subjects to retain their quit-rents, or any other taxes due, or that may become due, in their own custody, till such time as peace may be again restored to this at present most unhappy country, or demanded of them, for their former salutary purposes, by officers properly authorized to receive the same.

“ Given under my hand, on board the ship ‘William,’ off Norfolk, the seventh day of November, in the sixteenth year of his Majesty's reign. “DUNMORE.

“ God save the King ! ”

The pictorial history of England, George III, thus speaks of the Act :

“ In letters which had been laid before the English Parliament, and published to the whole world, he had represented the planters as ambitious, selfish men, pursuing their own interests and advancement at the expense of their poorer countrymen,

and as being ready to make every sacrifice of honesty and principle ; and he had said more privately, that, since they were so anxious for liberty,—for more freedom than was consistent with the free institutions of the mother-country and the charter of the Colony,—that since they were so eager to abolish a fanciful slavery in a dependence on Great Britain, he would try how they liked an abolition of real slavery by setting free all their negroes and indentured servants, who were, in fact, little better than *white* slaves. This, to the Virginians, was like passing a rasp over a gangrened place : it was probing a wound that was incurable, or which has not yet been healed. Later in the year, when the battle of Bunker's Hill had been fought, when our forts on Lake Champlain had been taken from us, and when Montgomery and Arnold were pressing on our possessions in Canada, Lord Dunmore carried his threat into execution. Having established his head-quarters at Norfolk, he proclaimed freedom to all the slaves who would repair to his standard and bear arms for the king. The summons was readily obeyed by most of the negroes who had the means of escaping to him. He, at the same time, issued a proclamation, declaring martial law throughout the Colony of Virginia ; and he collected a number of armed vessels, which cut off the costing-trade, made many prizes, and greatly distressed an important part of that Province. If he could have opened a road to the slaves in the interior of the Province, his measures would have been very fatal to the planters. In order to stop the alarming desertion of the negroes, and to arrest his Lordship in his career, the Provincial Assembly detached against him a strong force of more than a thousand men, who arrived in the neighborhood of Norfolk in the month of December. Having made a circuit, they came to a village called Great Bridge, where the river Elizabeth was traversed by a bridge ; but, before their arrival, the bridge had been made impassable, and some works, defended chiefly by ne-

groes had been thrown up." — *Pictorial History of England, George III*, vol. I, pp. 224–225.

The Continental Congress prohibited the employment of slaves in the Army, it being, says the resolution, reported by the Committee of safety, 'inconsistent with the principles that are to be supported,' but before the close of the war nearly every state passed laws freeing all slaves who would enlist; the number of those accepting their freedom by enlistment may be judged, as they formed in nearly every state one or two regiments and often battalions, while numbers of them served in the white regiments and companies. At the close of the war a large number of Negroes who served in the army with promise of freedom were reinslaved or attempted to be; this injustice to the soldiers became so frequent that the assembly of Virginia in 1783 passed the following law:

"An Act directing the Emancipation of certain Slaves who have served as Soldiers in this State, and for the Emancipation of the Slave Aberdeen.

"I. Whereas it hath been represented to the present General Assembly, that during the course of the war, many persons in this State had caused their slaves to enlist in certain regiments or corps raised within the same, having tendered such slaves to the officers appointed to recruit forces within the State, as substitutes for free persons whose lot or duty it was to serve in such regiments or corps, at the same time representing to such recruiting officers that the slaves so enlisted by their direction and concurrence, were freemen; and it appearing further to this Assembly, that on the expiration of the term of enlist-

ment of such slaves, that the former owners have attempted again to force them to return to a state of servitude, contrary to the principles of justice, and to their own solemn promise ;

“ II. And whereas it appears just and reasonable, that all persons enlisted as aforesaid, who have faithfully served agreeable to the terms of their enlistment, and have thereby of course contributed towards the establishment of American liberty and independence, should enjoy the blessings of freedom as a reward for their toils and labors ;

“ Be it therefore enacted, That each and every slave, who by the appointment and direction of his owner, hath enlisted in any regiment or corps raised within this State, either on Continental or State establishment, and hath been received as a substitute for any free person whose duty or lot it was to serve in such regiment or corps, and hath served faithfully during the term of such enlistment, or hath been discharged from such service by some officer duly authorized to grant such discharge, shall, from and after the passing of this act, be fully and completely emancipated, and shall be held and deemed free, in as full and ample a manner as if each and every of them were specially named in this act ; and the Attorney-general for the Commonwealth is hereby required to commence an action, *in forma pauperis*, in behalf of any of the persons above described who shall, after the passing of this act, be detained in servitude by any person whatsoever ; and if, upon such prosecution, it shall appear that the pauper is entitled to his freedom in consequence of this act, a jury shall be empanelled to assess the damages for his detention.

“ III. And whereas it has been represented to this General Assembly, that Aberdeen, a negro man slave, hath labored a number of years in the public service at the lead mines, and for his meritorious services is entitled to freedom ; *Be it therefore enacted,* That the said slave Aberdeen shall be, and he is hereby,

emancipated and declared free in as full and ample a manner as if he had been born free."—*Henning's Statutes at Large of Virginia*, vol. xi. pp. 308, 309.

Thus the freedom of the Negro soldiers of the Revolution was maintained; as to the number that became free by "going to the British" it is impossible to tell, every writer who has written on the subject places his own estimate of the number; of the half million slaves however, in the colonies at the outbreak of the war not less than one fifth became free by the war. Jefferson says, that 30,000 slaves in Virginia alone went to the British in a few weeks after the proclamation was issued, and had it not been that the British government had carried on solely the African slave trade, against the protestations of the colonists, doubtless the whole Negro population would have flocked to the British standard, but they hesitated and feared to trust a government that had enslaved them.

The war of course checked the traffic, and the declaration of independence gave the colonists an opportunity to abolish slavery, and the Northern colonies, or states as they now were, accepted the opportunity and began a system of gradual emancipation coupled with stringent and immediate interdiction of the foreign and domestic slave trade; for the benefit of the Southern States, however, the trade was revived after the Revolution and was carried on with Africa for a quarter of a century uninterruptedly; in the mean time the Northern states in framing their constitutions abolished the institution, beginning with

1777. *Vermont*, upon whose soil a slave never trod, declared against slavery in her declaration against Briton's rule, and prohibited it in her Constitution.

1780. *Massachusetts*, in framing her Constitution, inserted the following declaration: "All men are born free and equal, and have certain natural, essential, and inalienable rights, among which are the right of enjoying and defending their lives and liberties, and that of acquiring, possessing, and protecting property," her supreme Court held that this forever abolished slavery in the state, and her slaves became by this decision free.

Pennsylvania—Her legislature passed an Act declaring that all persons born in that State after the 1st of March, 1780, should be free at the age of twenty eight.

1783. *New Hampshire*—Abolished slavery by her Constitution.

1784. *Rhode Island*, enacted that after March all persons born in the State should be free.

Connecticut—passed a gradual emancipation Act.

1799. *New York*—Her legislature enacted a bill for gradual emancipation, which was amended in 1817 by an Act which declared that after the 4th of July, 1827, slavery should not exist in that State, and further provided for the immediate emancipation of ten thousand African slaves.

1804. *New Jersey*—By her legislature passed an Act forever abolishing slavery, and giving freedom gradually to her slaves.

(In the census of 1790 the Northern States are given 40,370, and the Southern States 657,527 Negroes, slaves.)

It is in justice to the effort made in Virginia in 1830—31, to abolish slavery by her legislature, that I make mention of it here. Following the Nat Turner insurrection in one of her counties,—Southampton—and in answer to a petition signed by several hundred females, the question was taken up by the legislature; a bill for gradual emancipation was discussed at great length and failed to pass by only two votes; this was superinduced by the insurrection, and with its subsidence went the emancipation question. It was not Virginia's first attempt to get rid of slavery; her Colonial Assembly in 1772, presented a petition to the Crown, stating, says Judge Tucker, in his "Notes to the American edition of Blackstone's Commentaries," "that the importation of slaves into the Colony from the Coast of Africa, has long been considered as a trade of great inhumanity, and under its *present encouragement* they have too much reason to fear would *endanger the very existence* of his Majesty's American dominion," and beseeching the Crown to remove all those restraints on the Governors of that Colony, which inhibited their assenting to such laws as might check so very pernicious a commerce as the African slave trade. But in this she followed the example set by the Northern Colonies. Massachusetts, as early as 1703, and again in 1767, sought to interdict slavery, so did New

Jersey, and Pennsylvania; but the English Government lent a deaf ear to their entreaties, but no sooner was the independence of the Colonies declared in 1776, than the American Congress resolved against the importation of slaves from Africa.

1808. By Act of Congress the slave trade was abolished,
 1820. and shortly thereafter declared to be piracy, and punishable with death.

1861. When it was finally decided by the Southern leaders to dissolve the Union of the States, and defensive preparations began throughout the South, slaves were employed principally in building fortifications, batteries, and in digging trenches for the Confederate government, while their masters were organizing and drilling, and later, when every road had its defences and Confederate cannon had been mounted, from Virginia to Texas, the Negro was still a formidable obstacle to the success of the Federal government, and a most powerful ally to the Confederacy; though not in the battle field shooting down the Federal soldiers, he was in the corn, rice and cotton fields cultivating the products that went to the maintenance of those who were in the battlefield—their masters—and who but for their Negroes must have remained at home, at least a portion of them, to till the land. When this became apparent to the North, the Federal Government were at a loss to devise a remedy or estoppel for the aid; in fact the back bone the Negro was giving the confederacy.

Mr. Lincoln had promised that the institution of slavery should not be troubled, but it is quite reasonable to suppose that he, before making this promise in his inaugural message, had not seen the Negro in the *role* of an ally to the South, and, to some extent, adhered to the opinion of the Semi-Union men at the North, who believed that when hostilities began, the Negroes would revolt; but this prediction did not come to pass, and the friends and supporters of the Federal Government, realizing the very great advantage the South was receiving from the Negro, sought to cripple and deprive her of it. Yet all was at sea, for the North studied how to fight the South, how to coerce her and yet not regard her as an enemy, at all events not in that sense in which a foreign nation would be regarded. All publicists agree that when a country is in open war with an enemy she has the right to use every means to weaken that enemy, and there were a large minority at the North, however, who did believe in this doctrine, and advocated it in the pulpit, at the bar, through the press, and on the stump, but the administration remained at sea.

Soon after General Butler assumed command at Fortress Monroe, on the 22nd of May, forty days after the surrender of Fort Sumter, three Negro men, Shepard Mallory, Frank Baker and James Townsend, the property of Col. Mallory of Hampton, entered his lines,

seeking protection, they stated that their master, Col. Mallory, was a Confederate officer, and was about to send them away to work on rebel fortifications. Butler held they were "Contraband of war" and instructed the quarter-master to put them to work. On the 27th, finding the slaves of rebels continued to come into his lines, Butler wrote to Lt. Gen. Scott, saying, "Since I wrote my last, the question in regard to slave property is becoming one of very serious magnitude. The inhabitants of Virginia are using their Negroes in the batteries, and are preparing to send their women and children South. The escapes from them are very numerous, and a squad has come in this morning and my pickets are bringing in their women and children. Of course these cannot be dealt with upon the theory on which I designed to treat the services of able-bodied men and women, who might come within my lines, and of which I gave you a detailed account in my last despatch.

I am in the utmost doubt what to do with this species of property ; up to this time, I have had come within my lines, men and women, with their children—entire families—each family belonging to the same owner. I have, therefore, determined to employ—as I can do very profitably—the able-bodied persons in the party, issuing proper food for the support of all. Charging against their services the expenses of care and sustenance of the non-laborers; keeping a strict and ac-

curate account, as well of the services as of the expenditures, bearing the worth of the services and the cost of the expenditures determined by a board of survey, hereafter to be detailed. I know of no other manner in which to dispose of this subject, and the questions connected therewith.

As a matter of property, to the insurgents it will be of very great moment—the number that I now have amounting, as I am informed, to what in good times would be of the value of \$60.000.

Twelve of these Negroes, I am informed, have escaped from the erection of the batteries on Sewell's Point, which fired upon my expedition as it passed by out of range. As a means of offense, therefore, in the enemy's hands, these Negroes, when able bodied, are of great importancé. Without them, the batteries could not have been erected; at least for many weeks. As a military question, it would seem to be a measure of necessity, to deprive their masters of their services.

How can this be done? As a political question and a question of humanity, can I receive the services of a father and a mother and not take the children? Of the humanitarian aspect, I have no doubt; of the political one, I have no right to judge; I therefore submit all this to your better judgment; and as these questions have a political aspect, I have ventured—and I trust I am not wrong in so doing—to duplicate the parts of

my despatch relating to this subject, and forward them to the Secretary of War.

Your obedient servant,

BENJ. F. BUTLER."

Lt. Gen. Scott.

It is held by many of the leading statesmen and politicians, that all the emancipation acts passed by Congress were in keeping with the idea advanced by Butler, that Negroes used and employed in erecting works or otherwise aiding the rebellion should be confiscated, and dealt with as *Contraband of war*. The status of the Negro was a subject of much comment even in cabinet circles; that he would be a strong ally to the rebels, was conceded by all, but how to deprive them of their services, none but the most ultra-abolitionist dared suggest. It was not so much what should be done with them, when caught giving aid to the Confederate government, as it was what should be done with them after capture or surrender? These points Gen. Butler laid before the governing powers so concisely and explicitly as to have them decide the policy of the administration regarding the status of the Negro. Gen. Cameron, Secretary of War, clearly defined the position of the administration, in reply to Butler :

'Sir:—

Your action in respect to the Negroes who came within your lines from the service of the rebels, is approved. The Department is sensible of the embarrassments which must surround officers conducting military operations in a state by the

laws of which slavery is sanctioned. The government cannot recognize the rejection by any state of its Federal obligations resting upon itself, among these Federal obligations, however, no one can be more important than that of suppressing and dispersing any combination of the former for the purpose of overthrowing its whole constitutional authority. While, therefore, you will permit no interference by persons under your command, with the relations of persons held to service under the laws of any state, you will, on the other hand, so long as any state within which your military operations are conducted, remains under the control of such armed combinations, refrain from surrendering to alleged masters, any persons who come within your lines. You will employ such persons in the services to which they will be best adapted, keeping an account of the labor by them performed, of the value of it, and the expenses of their maintenance. The question of their final disposition will be reserved for future determination.

SIMON CAMERON,

Secretary of War.

To Maj. Gen. Butler.

“Contraband.” This word now became synonymous with emancipation; to this the leading men of the nation agreed, holding with Vattel, “That in time of war, if it be a just war, and there be a people who have been oppressed by the enemy, and that enemy be conquered, the victorious party cannot return that oppressed people to the bondage from which they have rescued them.” Though the rebellion had hardly begun, there was an air of confidence of success in the orders of the government and in the expressed opinions of the loyal people, and from this single act the emancipationist and the

abolition press saw the star of their hope advanced to this bright constellation of our country's future greatness—Emancipation—Equality. Instead of the rebels keeping this edict of Butler's and Cameron's out of the ears of the Negroes, they gave publicity to it, and hundreds of contrabands flocked to Butler. The New York Herald, in no sense an anti-slavery paper, said regarding the act, "Gen. Butler has struck this Southern insurrection in a place which is as vulnerable as the head of *Achilles*; and we dare say that, in receiving and seizing the slaves of rebels as Contraband of war, this Southern Confederacy will be substantially suppressed with the pacification of Virginia." Again this same paper spoke, in about a month afterwards, and said, "These fugitive slaves, at this rate, will soon prove more powerful in suffocating this southern white insurrection than all the armies of Gen. Scott. This man Butler in this thing, has proved himself the greatest lawyer we have between a pair of epaulets."

May 31st, and June 28th, 1861.

In July, the matter was brought in Congress by Hon. Lyman Trumbull, of Illinois, as chairman of the Senate's Judiciary Committee, and by direction of that committee he reported to the Senate a bill to confiscate all property of rebels used for insurrectionary and other purposes; the main or emancipation feature of the bill read, "That whenever any person claiming to be entitled to the services or labor of any other person, un-

der the laws of any state, shall employ such persons in aiding or promoting any insurrection, or in resisting the laws of the United States, or shall permit or suffer him to be so employed, he shall forfeit all right to such service or labor, and the person whose labor or service is thus claimed shall be henceforth discharged therefrom, any law to the contrary notwithstanding." It passed the senate by 33 yeas to 6 noes, it passed the House of Representatives on the 3rd of August, receiving the signature of the President on the 6th. Thus began a series of emancipation enactments looking to the overthrow of the rebellion.

In July, Maj. Gen. Fremont took command of the Department of Missouri, and on the 31st of August issued a general edict emancipating the slaves of all persons in arms in that state against the general government; the following is the portion of the order referred to :

"In order to suppress disorders, to maintain, as far as now practicable, the public peace, and to give security and protection to the persons and property of loyal citizens, I do hereby declare established martial law throughout the State of Missouri. * * * * All persons who shall be taken with arms in their hands, within these lines, shall be tried by court-martial, and if found guilty, will be shot, the property, real and personal, of all persons in the State of Missouri, who shall take up arms against the United States, or who shall be directly proven to have taken active part with their

enemies in the field, is declared to be confiscated to the public use; and their slaves, if any they have, are hereby declared free men." The following letter fully explains itself; it was necessitated by Gen. Fremont's refusal to withdraw or modify his order or that portion relating to the emancipation of slaves.

" WASHINGTON, D. C., *Sept. 11th*, 1861.

Maj. General John C. Fremont,

Sir:—

Yours of the 8th, in answer to mine of the 2nd inst, is just received. Assured that you, upon the ground, could better judge of the necessities of your position than I could at this distance, on seeing your proclamation of August 30th, I perceived no general objection to it; the particular clause, however, in relation to the confiscation of property and the liberation of slaves, appeared to me to be objectionable in its non-conformity to the act of Congress, passed the 6th of last August, upon the same subjects; and hence I wrote you expressing my wish that that clause should be modified accordingly. Your answer just received expresses the preference on your part that I should make an open order for the modification, which I very cheerfully do; it is therefore ordered that the said clause of said proclamation be so modified, held, and construed, as to conform with and not to transcend, the provisions on the same subject contained in the act of Congress, entitled, An act to confiscate property used for insurrectionary purposes," approved August 6th, 1861; and that the said act be published at length with this order.

Your obedient Servant,

A. LINCOLN."

General Fremont's proclamation was hailed with

approval by the loyal press and people generally, notwithstanding Mr. Lincoln was loth to part from the policy enunciated, it was in fact with some reluctance that he approved the act he quotes; wherever a volunteer officer commanded he dealt slavery a blow; if he did not proclaim the slaves free, he so acted and treated them.

To the contrary of this, was the conduct and procedure of the West Pointers, in the regular army.

The fires of emancipation, however, were burning brighter throughout the East; mass meetings and prayer meetings for abolition were held in all the large Northern cities, resolutions and delegations were sent to Washington City urging upon Congress the necessity of prohibiting the Navy and Army officers returning escaped slaves to their alleged owners.

862. President Lincoln sent the following special message to Congress in March, recommending aid to the States that would abolish slavery :

" Fellow-Citizens of the Senate and House of Representatives :

" I recommend the adoption of a joint resolution by your honorable bodies which shall be substantially as follows :

" ' *Resolved*, That the United States ought to cooperate with any State which may adopt a gradual abolishment of slavery, giving to such State pecuniary aid to be used by such State at its discretion, to compensate for the inconveniences, public and private, produced by such change of system.'

" If the proposition contained in the resolution does not meet the approval of Congress and the country, there is the end; but if it does command such approval, I deem it of importance

that the States and people immediately interested should be at once distinctly notified of the fact, so that they may begin to consider whether to accept or reject it. The Federal Government would find its highest interest in such a measure as one of the most efficient means of self-preservation. The leaders of the existing insurrection entertain the hope that the Government will ultimately be forced to acknowledge the independence of some part of the disaffected region, and that all the slave States north of such parts will then say ; 'The Union for which we have struggled being already gone, we now choose to go with the southern section.' To deprive them of this hope, substantially ends the rebellion, and the initiation of emancipation completely deprives them of it as to all the States initiating it.

"The point is not that all the States tolerating slavery would very soon, if at all, initiate emancipation, but that while the offer is equally made to all, the more northern shall, by such initiation, make it certain to the more southern that in no event will the former ever join the latter in their proposed confederacy. I say 'initiation,' because, in my judgment, gradual and not sudden emancipation is better for all. In the mere financial or pecuniary view, any member of Congress, with the census tables and the treasury report before him, can readily see for himself how very soon the current expenditures of this war would purchase, at a fair valuation, all the slaves in any named State.

"Such a proposition on the part of the general Government sets up no claim of a right by Federal authority to interfere with slavery within State limits, referring as it does the absolute control of the subject in each case to the State and its people immediately interested. It is proposed as a matter of perfectly free choice with them.

"In the annual message, last December I thought fit to say : 'The Union must be preserved, and hence all indispensable means must be employed.' I said this not hastily, but deliber-

ately. War has been, and continues to be an indispensable means to this end. A practical re-acknowledgment of the national authority would render the war unnecessary, and it would at once cease. If, however, resistance continues, the war must also continue, and it is impossible to foresee all the incidents which may attend, and all the ruin which may follow it. Such as may seem indispensable, or may obviously promise great efficiency toward ending the struggle, must and will come. The proposition now made is an offer only, and I hope it may be esteemed no offence to ask whether the pecuniary consideration tendered would not be of more value to the States and private persons concerned than are the institution and property in it, in the present aspect of affairs. While it is true that the adoption of the proposed resolution would be merely initiatory, and not within itself a practical measure, it is recommended in the hope that it would soon lead to important results. In full view of my great responsibility to my God and to my country, I earnestly beg the attention of Congress and the people to the subject.

ABRAHAM LINCOLN."

The subject was duly taken up; in December, 1861, a bill was introduced in Congress abolishing slavery in the District of Columbia, but it was not yet finally acted upon, but now the President had seen fit, though very cautiously, to signal his acceptance of the voice of the loyal North, in the message. In April, Congress resumed the consideration of abolishing slavery in the District, over which it has sole jurisdiction, and on the 11th passed the bill, giving compensation to loyal owners, \$300 per head; the bill was approved by the President on the 16th, and returned to Congress with the following message;

"Fellow-Citizens of the Senate and House of Representatives :

"The act entitled 'An act for the release of certain persons held to service or labor in the District of Columbia,' has this day been approved and signed.

"I have never doubted the constitutional authority of Congress to abolish slavery in this District, and I have ever desired to see the national capital freed from the institution in some satisfactory way. Hence there has never been in my mind any question upon the subject except the one of expediency, arising in view of all the circumstances. If there be matters within and about this act, which might have taken a course or shape more satisfactory to my judgment, I do not attempt to specify them. I am gratified that the two principles of compensation and colonization are both recognized and practically applied in the act.

"In the matter of compensation, it is provided that claims may be presented within ninety days from the passage of the act, but not thereafter, and there is no saving for minors, *femmes coverts*, insane, or absent persons. I presume this is an omission by mere oversight, and I recommend that it be supplied by an amendatory or supplemental act. ABRAHAM LINCOLN."

A hundred thousand dollars was appropriated to colonize those who desired to go out of the country, all of which was squandered in the vain attempt to establish a Colony on Cow Island in the Caribbean Sea. An effort was then made to pay \$300 for every slave emancipated in the States of Delaware, Virginia, Maryland, Kentucky, Tennessee, and Missouri, but this was not passed. On the 24th of March the question abolishing slavery in the Territories was introduced by a bill. Congress had organized Colorado, Nevada, and Dako-

tah into territories without saying anything about slavery, in keeping with the President's policy, but since then there had been a departure, and the emancipationist had succeeded in the district, and now they demanded the National Government to wipe its hands clear of the foul blot wherever it had the power, consequently slavery in the Territories was forever prohibited and the slaves in them freed: this measure was passed in June.

This was the greatest achievement of all; it had been the effort of the anti-slavery men of the country from the very first to prohibit slavery from going into the Territories, in truth it was the scheme to eventually destroy slavery. Mr. Jefferson in the first Colonial Congress after the surrender of Cornwallis at Yorktown, submitted a plan for the organization of the Territories, embryo states, to be ceded to the Confederation, and in which report known as the Jeffersonian ordinance of 1784, was embodied the following condition:

"That after the year 1800 of the Christian era, there shall be neither slavery nor involuntary servitude in any of the said states, (Territories) otherwise than in punishment of crimes, whereof the party shall have been duly convicted to have been personally guilty." This proposition was defeated by the absence of a member from New Jersey, whose presence and vote might have saved the lives and treasury sacrificed in the rebellion of 1861—5 because it would have confined slav-

ery to the States in which it then existed ; as the sequel now shows it would not have lived until 1800. It may not be uninteresting to the reader to know to some extent the effort made against slavery in all but the thirteen original States, at the organization of the territorial governments under the compact, therefore I speak of it. The last Colonial Congress which assembled in 1787, (the convention which framed our present constitution was sitting at the same time,) took in consideration the territorial governments, and Nathan Dane, of Mass., reported from a committee rules for the government of the territories northwest of the Ohio, not including those embraced in Mr. Jefferson's report, in 1784; the act was passed with the following condition: "There shall be neither slavery nor involuntary servitude in the said territories otherwise than in punishment of crimes whereof the parties shall be duly convicted:" To this was added an agreement that slaves escaping from one to another State should be apprehended and returned ; with this it was adopted by the convention as well as by the Colonial Congress ; thus the abolitionists' plan was thwarted, hence the magnitude and importance of the victory for the emancipationist at the passage of the bill abolishing and prohibiting slavery in the territories.

Following the measures already cited was the confiscation bill which proposed that all slaves of persons who give aid or comfort to the rebellion, *who shall take refuge within the federal lines*, all slaves captured

from such persons or deserted by them, &c. &c. &c., shall be free ; it received the President's approval in July, as did also the bill abolishing the African slave trade at the same time. The tide now fairly set in, and Congress had accepted the opinion of the North that slavery was the back bone of the Confederacy and must be so treated. A proposition to amend the national enrollment act so as to include within its provision persons of African descent, was taken up and passed. Already there was a considerable armed force of Negroes in the Army, the camps of the Union forces were swarming with contrabands ; this word of itself was understood by the major portion of the Union Army to mean freedom ; during the debate upon the proposition to arm the Negroes, and declare them forever free, Senator Harlan of Iowa, said, "If I read the signs of the times correctly, this has become a necessity. We cannot, if we persist in our folly, thwart the ultimate purposes of the Almighty. By His providential interposition, He has thrown open the door for the liberation of a nation of bondmen ; He has removed the Constitutional impediment ; He has caused their assistance to be necessary for the perpetuity of the Union and the integrity of the nation. If we accept of this high destiny, all the nations of earth combined against us would be as flax in the flames ; but if we are not equal to the demand of the age and obstinately refuse to follow the plain intimation of Providence, this great work will be handed over to other nations, or will be

wrought out by the rebels themselves, and our nation will become permanently divided." This measure was adopted in July: the act gave freedom to every black man enrolled, drafted or volunteering on being mustered into the military service of the United States. This manumission act, together with the confiscation act freeing slaves within the Federal lines belonging to disloyal persons, gave freedom to hundreds of thousands of Negro slaves, including over two hundred thousand in the army and navy during the rebellion. With slavery prohibited forever in the Territories, the close of the year drawing near, bore rich fruit to the emancipationists, though slavery still existed in the States of Delaware and Kentucky.

The prospects of a complete abolition harvest was enhanced in September, by the President's preliminary proclamation; he having assumed actual command of the United States forces engaged in suppressing the rebellion in March, and now, as commander-in-chief, he issued a Proclamation; warning those in arms against the United States authorities, that unless they laid down their arms and returned to their allegiance due the Government of the United States before the 1st day of January, 1863, he would on that day declare all their slaves free.

Notwithstanding his prospective and meditative proclamation of Emancipation to be issued January 1st, in his annual Message to Congress December 1st, he

made the following recommendations as an amendment to the Constitution:

“ Resolved, By the Senate and House of Representatives of the United States of America in Congress assembled, two-thirds of both houses concurring, that the following articles be proposed to the Legislatures or Conventions of the several States as amendments to the Constitution of the United States, all or any of which articles, when ratified by three-fourths of the said Legislatures or Conventions, to be valid as part or parts of the said Constitution, namely :

“ ARTICLE—. Every State wherein slavery now exists, which shall abolish the same therein at any time or times before the first day of January, in the year of our Lord one thousand nine hundred, shall receive compensation from the United States as follows, to wit :

“ The President of the United States shall deliver to every such State, bonds of the United States; bearing interest at the rate of —, for each slave shown to have been therein, by the eighth census of the United States ; said bonds to be delivered to such State by instalments, or in one parcel at the completion of the abolishment, according as the same shall have been gradual or at one time within such State ; and interest shall begin to run upon any such bond only from the proper time of its delivery as aforesaid, and afterward. Any State having received bonds as aforesaid, and afterward introducing or tolerating slavery therein, shall refund to the United States the bonds so received, or the value thereof, and all interest paid thereon.

“ ARTICLE—. All slaves who shall have enjoyed actual freedom, by the chances of the war at any time, before the end of the rebellion, shall be forever free ; but all owners of such, who shall not have been disloyal, shall be compensated for them at the same rates as is provided for States adopting abolishment of slavery—but in such a way that no slave shall be twice

accounted for.

“ARTICLE—, Congress may appropriate money, and otherwise provide for colonizing free colored persons with their own consent, at any place or places without the United States.”

Thus continuing his policy for gradual Emaucipation, but inasmuch as the rebels nor the border States had not accepted the proffered aid of the Government as set forth in the joint resolution of Congress, passed in April, and in the proclamation of Sept. 22nd, this Message aimed at a *finale* of the subject so far as the national Government was concerned, and puts beyond peradventure the fact that Mr. Lincoln did not deem his authority to *emancipate* the slaves sufficient to secure the slave from a return to slavery, hence he urges an amendment to the Constitution. Action on these recommendations was not taken until Dec. 1863, one year after they were made.

The President however in accordance with his proclamation of September promising *to free the slaves in the States and parts of States in rebellion against the* 1863. *United States*, on the 1st of January issued the promised proclamation of general Emancipation, excepting, however, the slaves in those portions of States then occupied by the Union forces, and also those sections where the people were loyal to the union of the states, the slaves remained as though the proclamation had not been issued. Truly this proclamation did not, like the surrender of Yorktown, free a single slave, nor would it have had even the moral

force given it it received but for the fact, that the Southern States declared themselves independent, and engaged in open war against the Federal Government for the maintenance of their declared independence; only for this assumption, neither the President nor Congress, nor the loyal people, could have by proclamation, amendment to the constitution, or by any other means, emancipated the slaves, yet how surprising it is that the emancipation of the American Negro, when referred to its source, its credit is given to the lamented Lincoln,—it was just as easy for the President to declare a victory for the Union army as to declare the slaves in the enemy's country free. But it is not my purpose to discuss this proclamation, which admits of more than ordinary argument; nor would I for a moment either directly or indirectly, neither by word or insinuation attempt to detract from the fame of the humane and illustrious statesman, the benefactor of my race, Abraham Lincoln;—nevertheless, we should know the truth concerning so important an event as the emancipation of four million of slaves, and know, too, that the proclamation in question did not emancipate them. Had the South maintained her assumed independence in defiance of the Federal Government, what would the edict have amounted to? Again, had the enemy laid down their arms six months after the edict was issued, would they have lost their slaves? It must be remembered that Congress recognized slavery a year after the proclamation was issued, and treat-

ed with the owner as late as 1864. by paying one hundred dollars to the loyal owners for every slave who enlisted in the Union army. When then, and how came the slaves free? Before answering these questions, let us read what President Lincoln has to say regarding the proclamation. It must be remembered that the anti-emancipationists of the country, particularly of the West, were very strongly opposed to the proclamation. Some of them talked of advising the troops in the fields to throw down their arms unless the proclamation was rescinded, as had been those of Fremont's and Hunter's. This spirit led to a mass-meeting of the unconditional Union men at Chicago, to which President Lincoln was invited to attend, and to which he addressed the following pungent letter ;

“EXECUTIVE MANSION, WASHINGTON, *August 26th, 1863.*

“MY DEAR SIR :—Your letter inviting me to attend a mass meeting of unconditional Union men, to be held at the capitol of Illinois on the third day of September, has been received. It would be very agreeable to me thus to meet my old friends at my own home ; but I cannot just now be absent from this city so long as a visit there would require. The meeting is to be of all those who maintain unconditional devotion to the Union ; and I am sure that my old political friends will thank me for tendering, as I do, the nation's gratitude to those other noble men whom no partisan malice or partisan hope can make false to the nation's life. There are those who are dissatisfied with me. To such I would say :—You desire peace, and you blame me that we do not have it. But how can we attain it? There are but three conceivable ways :—First, to suppress the rebellion by force of arms. This I am trying to do. Are you for it? If you are, so far we are a-

greed. If you are not for it, a second way is to give up the Union. I am against this. If you are, you should say so, plainly. If you are not for force, nor yet for dissolution, there only remains some imaginable compromise. I do not believe that any compromise embracing the maintenance of the Union is now possible. All that I learn leads to a directly opposite belief. The strength of the rebellion is its military—its army. That army dominates all the country and all the people within its range. Any offer of any terms made by any man or men within that range in opposition to that army is simply nothing for the present, because such man or men have no power whatever to enforce their side of a compromise, if one were made with them. To illustrate: Suppose refugees from the South and peace men of the North get together in convention, and frame and proclaim a compromise embracing the restoration of the Union. In what way can that compromise be used to keep General Lee's army out of Pennsylvania? General Mead's army can keep Lee's army out of Pennsylvania, and I think can ultimately drive it out of existence. But no paper compromise to which the controllers of General Lee's army are not agreed, can at all affect that army. In an effort at such compromise we would waste time which the enemy would improve to our disadvantage, and that would be all. A compromise, to be effective, must be made either with those who control the rebel army, or with the people, first liberated from the domination of that army by the success of our army. Now, allow me to assure you that no word or intimation from the rebel army, or from any of the men controlling it, in relation to any peace compromise, has ever come to my knowledge or belief. All charges and intimations to the contrary are deceptive and groundless. And I promise you that if such proposition shall hereafter come, it shall not be rejected and kept secret from you. I freely acknowledge myself to be the servant of the people, according to the bond of ser-

vice, the United States constitution : and that, as such, I am responsible to them. But, to be plain: You are dissatisfied with me about the negro. Quite likely there is a difference of opinion between you and myself upon that subject. I certainly wish that all men could be free, while you, I suppose, do not. Yet I have neither adopted nor proposed any measure which is not consistent with even your view, provided you are for the Union. I suggested compensated emancipation, to which you replied that you wished not to be taxed to buy negroes. But I have not asked you to be taxed to buy negroes, except in such way as to save you from greater taxation, to save the Union exclusively by other means.

"You dislike the emancipation proclamation, and perhaps would have it retracted. You say it is unconstitutional. I think differently. I think that the constitution invests its commander-in-chief with the law of war in time of war. The most that can be said, if so much, is, that the slaves are property. Is there, has there ever been, any question that by the law of war, property both of enemies and friends, may be taken when needed? And is it not needed whenever taking it helps us or hurts the enemy? Armies, the world over, destroy enemies' property when they cannot use it; and even destroy their own to keep it from the enemy. Civilized belligerents do all in their power to help themselves or hurt the enemy, except a few things regarded as barbarous or cruel. Among the exceptions are the massacre of vanquished foes and non-combatants, male and female. But the proclamation, as law, is valid or is not valid. If it is not valid it needs no retraction. If it is valid it cannot be retracted, any more than the dead can be brought to life. Some of you profess to think that its retraction would operate favorably for the Union. Why better after the retraction than before the issue? There was more than a year and a half of trial to suppress the rebellion before the proclamation was issued, the last one hundred days of which passed under an explicit notice,

that it was coming unless averted by those in revolt returning to their allegiance. The war has certainly progressed as favorably for us since the issue of the proclamation as before. I know as fully as one can know the opinion of others, that some of the commanders of our armies in the field, who have given us our most important victories, believe the emancipation policy and the aid of the colored troops constitutes the heaviest blows yet dealt to the rebellion, and that at least one of those important successes could not have been achieved when it was but for the aid of black soldiers. Among the commanders holding these views are some who have never had any affinity with what is abolitionism or with the 'republican party politics.'—But who hold them purely as military opinions. I submit their opinions as being entitled to some weight against the objections often urged that the emancipation and arming the blacks are unwise as military measures, and were not adopted as such in good faith. You say that you will not fight to free negroes. Some of them seem to be willing to fight for you—but no matter. Fight you, then, exclusively to save the Union. I issued the proclamation on purpose to aid you in saving the Union. Whenever you shall have conquered all resistance to the Union, if I shall urge you to continue fighting, it will be an apt time then for you to declare that you will not fight to free negroes. I thought that in your struggle for the Union, to whatever extent the negroes should cease helping the enemy, to that extent it weakened the enemy in his resistance to you. Do you think differently? I thought whatever negroes can be got to do as soldiers, leaves just so much less for white soldiers to do in saving the Union. Does it appear otherwise to you? But negroes, like other people, act upon motives. Why should they do anything for us if we will do nothing for them? If they stake their lives for us they must be prompted by the strongest motive, even the promise of freedom. And the promise being made must be kept. The signs look better. The Father of Waters again goes

unvexed to the sea. Thanks to the great North-west for it. Not yet wholly to them. Three hundred miles up they met New England, Empire, Keystone and Jersey, hewing their way right and left. The sunny South, too, in more colors than one, also lent a hand. On the spot their part of the history was jotted down in black and white. The job was a great national one, and let none be banned who bore an honorable part in it; and, while those who have cleared the great river may well be proud, even that is not all. It is hard to say that anything has been more bravely and better done than that at Antietam, Murfreesboro, Gettysburg, and on many fields of less note, Nor must Uncle Sam's webfleet be forgotten. At all the water's margins they have been present:—not only on the deep sea, the broad bay and the rapid river, but also up the narrow, muddy bayou; and wherever the ground was a little damp they have been and made their tracks. Thanks to all. For the great republic—for the principles by which it lives and keeps alive—for man's vast future—thanks to all. Peace does not appear so far distant as it did. I hope it will come soon, and come to stay; and so come as to be worth the keeping in all future time. It will then have been proved that among freemen there can be no successful appeal from the ballot to the bullet, and that they who take such appeal are sure to lose their case and pay the cost. And then there will be some black men who can remember that, with silent tongue, and clenched teeth, and steady eye and well poised bayonet, they have helped mankind on to this great consummation; while I fear that there will be some white men unable to forget that with malignant heart and deceitful speech they have striven to hinder it. Still let us not be over sanguine of a speedy final triumph. Let us be quite sober. Let us diligently apply the means, never doubting that a just God, in his own good time, will give us the rightful result.

Yours very truly,

A, LINCOLN.'

The plea which Mr. Lincoln sets up for the validity of the proclamation is doubtless good, that he had the authority to do anything and everything as Commander in chief of the Army and Navy during the war, I think none will doubt, but had he the right in time of war to declare what should be in time of peace? In other words, if he took Vallandigham's mules to prevent them being used against the Government during the war, could Vallandigham claim his mules when the war was ended?

Now when property has been forfeited on account of treason or rebellion against the United States, does it deprive the heirs of enjoying that property after the death of the traitor rebel? There are very many theories regarding the validity of the proclamation, but it must be seen that Mr. Lincoln did not regard the Negro safe in emancipation. The Union National Convention which assembled at Baltimore in June, and at which Mr. Lincoln was renominated, adopted the following resolution expressive of the sentiments of the Union people of the country: *Resolved*, that as slavery was the cause and now constitutes the strength of this rebellion, and as it must be always and everywhere hostile to the principles of republican Government, justice and the national safety demands its utter and complete extirpation from the soil of the republic; and that we uphold and maintain the acts and proclamations by which the government, in its own defense has aimed a death blow at the gigantic evil. We are in favor, furthermore

of such an amendment to the constitution, to be made by the people in conformity with its provision, as shall terminate and forever prohibit the existence of slavery within the limits or the jurisdiction of the United States." This being the platform upon which Mr. Lincoln was re-elected with a new Congress, it was regarded as endorsing the emancipation proclamation pledging Congress to the passage of the XIII amendment, rejected by the last Congress, by which means the Proclamation might be made valid. Congress re-assembled in December, and Mr. Lincoln in his message took occasion to urge the passage of the thirteenth amendment in this language ;

"Without questioning the wisdom or patriotism of those who stood in opposition, I venture to recommend the reconsideration and passage of the measure at the present session. Of course, the abstract question is not changed but an intervening election shows, almost certainly, that the next Congress will pass the measure if this does not. Hence there is only a question of time as to when the proposed amendment will go the States for their action. And, as it is to so go, at all events, may we not agree that the sooner the better? It is not claimed that the election has imposed a duty on members to change their views or their votes, any further than as an additional element may be effected by it. It is the voice of the people now, for the first time heard upon the question, in a great national crisis like ours. Unanimity of action among those seeking a com-

mon end is very desirable, almost indispensable. And yet, no such unanimity is attainable, unless some deference shall be paid to the will of the majority ; in this case, the common end is the maintenance of the Union, and among the means to secure that end, such will, through the election, be most clearly declared in favor of such Constitutional amendment."

No more authoritative statement as to the policy and governmental views respecting emancipation can possibly be given than that given by a member of Mr. Lincoln's cabinet, Sec'y of the Navy, Wells, who declares in refutation to Mr. Adam's statement, who, in his memorial address, on the life, service and character of the late Secretary of State Seward, gives Mr. Seward credit for the administration policy :

"The distinctive measure of Mr. Lincoln's administration, beyond all others that which makes it an era in our national history—is the decree of emancipation. This movement, almost revolutionary, was a step not anticipated by him when elected, and which neither he nor any of his cabinet was prepared for, or would have assented to when they entered upon their duties. He and they had—regardless of party discipline—resisted the schemes for the extension of slavery into free territory under the sanction of federal authority. All of them, though of different parties, were and ever had been opposed to slavery—but not one of them favored any interference with it by the national government in the States where it was established or permitted."

Not from any question of expediency but adhering to the belief that the Executive nor Congress had not the authority to do so, what then caused Mr. Lincoln to issue the proclamation while yet holding to those views: was he an instrument of Divine will?

“Prof. Haygood, in his excellent work, “Our Broth^r in Black” says, under the captain of “Providence in Emancipation,” “There can be, no question, I think, but that emancipation was set down in the order of Divine Providence. Had the white people realized both in thought and act, their relation to the slaves, emancipation might have come sooner, it might have come later, but it would have come peaceably, and when both masters and slaves were better prepared for the change. It is to me a very painful thought that, while there were very many noble exceptions, the majority of masters never understood the solemnity of their trust in the temporary guardianship of these Negroes in course of training. Many of them, I fear the largest number, recognized chiefly a property interest in the Negroes. Men with this feeling uppermost, could not do their duty to the slaves. But God’s plans must not be marred by human ignorance or stupidity; so that it came to pass that God used a great war to set free the Negroes.”

How the Negro regarded the proclamation is not difficult to tell, and perhaps the observation of one of Mr. Lincoln's staunchest supporters and advisers, may serve to illustrate more clearly than I can, how the Negro and his abolition friends were affected by it. "The slaves," he says, "of the South, seem to have made no mistake as to their status. They knew they were not free while their masters held them and the territory. They looked to the gun boats and the stars and stripes, and regarded the proclamation only as a promise which would fail or be made good according to the issue of the war. As to the people of the North, they were in no humor to "reason too precisely upon the event." They were impatient under the existing policy and looked for a change; they saw that change in the proclamation, and cared little in what form it came, or what else it undertook to do. They had been disgusted by the advice that had been offered them on constitutional questions by over-technical or semi-loyalmen. Jurists had advised that the Prize Courts were unconstitutional, that no property could be taken, at sea or on land, except in the way of penalty for treason, after a jury trial. We could not blockade our own ports; that though an army and militia were constitutional, volunteers and conscriptions were not; and at the bottom of all, that the Republic could not coerce a State. It is little wonder, therefore, that they were impatient of any criticism upon the proclamation. On the other hand, unquestionable patriots, educated in a narrow school of

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strict construction — — — were telling the people that the only way to save the Union was to run the Constitution ashore.

Fortunately, the proclamation was never brought to a test. There can be little doubt that Foreign States and our own Judiciary would have treated it as ineffectual."

Congress, in 1867, passed an act making *valid and conclusive* all Proclamations that had been issued between March, 1861 and July, 1866. As to whether or not Congress would pass unnecessary laws, is to be inferred, judging of the value of the President's Proclamation, in the eye of the law, then existing; however many suits since the war closed and at the time the act was passed, were pending in the Courts, which involved the question of legality of Proclamations issued during the war, and in order to give validity to them, Congress passed the act cited.

A writer in the North American Review No 289, in a wide and searching article on "*The Validity of the Emancipation Edict*" says :

"That slavery has been abolished it is presumed no one will gainsay. If abolished, when did it cease? Did emancipation take place when the rebel armies capitulated? Nothing was said about slavery when Lee surrendered. Did it take effect at some period subsequent to the day of surrender? For reasons previously stated it could not have taken effect at a subsequent date. Did it not take effect when President Lincoln, acting for the Federal Government, *intended* it should take effect, on Janu-

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ary 1, 1863? Or did the thirteenth amendment abolish slavery? This amendment declares :

‘ Neither slavery nor involuntary servitude, except as a punishment for crime, whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction. ’

This amendment was submitted by Congress to the Legislatures, February 1, 1865. Secretary Seward certified, December 18, 1865, that it had been duly ratified by twenty-seven of the thirty-six States. Did slavery exist in the United States after the Proclamation of Emancipation and up to the time of ratifying the amendment? Such a supposition is impossible. Relatively considered, there was no more *authority* for the amendment than for the proclamation, *Both* depended and depend for their validity upon the fact of their ratification. The *amendment* was ratified by the Legislature of the States in the manner prescribed by the Constitution. The *proclamation* was ratified according to military warfare by the surrender at Appomattox. Each depended and depends for its efficacy upon the power of the people of the United States to maintain their provisions. The thirteenth amendment was not *necessary* to the abolition of the status of slavery. It performed the office of an entry on the journal of the court after the trial, charge of the court, and verdict of the jury—a very fitting method of perpetuating the issue decided.

The United States Supreme Court has thrown light upon the question as to when military proclamations of the President are to be considered as having taken effect. In a leading case the proclamation was one removing restrictions upon trade and commerce. It bore date June 24, 1865. It was not *published* until June 27, 1865—three days later. A divided Court held that the proclamation took effect as of its date. The dissenting opinion contended it could not take effect until

publication—the reasoning of both sides of the Court being based upon the ground that proclamations of the President were like statutes in their nature.

The most authoritative decision of the Supreme Court, and the one nearest related to the Proclamation of Emancipation, occurs in the opinion rendered in the famous "Slaughter-House Cases." The proclamation was not directly in question, and therefore what is said by the Court in regard thereto is in its character *obiter dictum*. It is not out of place to give a brief quotation. The thirteenth and fourteenth amendments were before the Court for construction. The Court say: "In that struggle [the war of the rebellion] slavery, as a legalized, social relation, perished. It perished as a necessity of the bitterness and force of the conflict. When the armies of freedom found themselves upon the soil of slavery, they could do nothing less than free the poor victims whose enforced servitude was the foundation of the quarrel. And when, hard pressed in the contest, these men (for they proved themselves men in that terrible crisis) offered their services and were accepted by thousands to aid in suppressing the unlawful rebellion, slavery was at an end wherever the Federal Government succeeded in that purpose. The proclamation of President Lincoln expressed an accomplished fact as to a large portion of the insurrectionary districts when he declared slavery abolished in them all. But the war being over, those who had succeeded in reestablishing the authority of the Federal Government were not content to permit this great act of emancipation to rest on the actual results of the contest, or the proclamation of the Executive, both of which might have been questioned in after-times, and they determined to place this main and most valuable result in the Constitution of the restored Union as one of its fundamental articles. Hence the thirteenth article of amendment of that instrument."

It is very interesting in this connection to know how the proclamation has been construed and regarded by the Supreme Courts of these States in rebellion—the States immediately affected by it. As might be expected, the proclamation has been before those Courts for construction. A careful examination of all the reports of those States, issued since the rebellion, discloses that the proclamation has been passed upon directly or indirectly in all of these Courts. Generally speaking, the effect of the proclamation has been considered *indirectly*, in connection with other questions, so that the cases are few where the Court has passed upon the proclamation directly. Some of the Courts have made decisions, bearing upon it, and then have reconsidered their decisions, leaving the question open. *All* of the Courts recognize, without qualification, that slavery has been abolished. According to the latest decisions, it is held in Georgia that it is unnecessary to decide *when* slavery was abolished. In Mississippi, say the Court, “It has not yet [1870] been adjudicated by the Courts of this State at what precise time slavery was abolished.” In South Carolina and Virginia the Courts have distinctly held that slavery was *not* abolished by the Emancipation Proclamation, but that emancipation was brought about by the war and by conquest. The Supreme Court of Louisiana has expressly decided that slavery was abolished by the Emancipation Proclamation as of its date, January 1, 1863. In Texas, the precise question arose in “The Emancipation Cases,” decided in 1868. The Court were divided in opinion—three holding that slavery was *not* abolished by the proclamation. Two of the judges held that slavery *was* abolished by the proclamation, as of January 1, 1863. The dissenting opinion of Mr. Justice Hamilton in this case is a remarkable exhibition of learning, logic and legal acumen. The majority opinion in this case was subsequently questioned, and the date of emancipation is now an open one in Texas. The

Supreme Court of Alabama has delivered the clearest decision of all, to the effect that slavery was abolished January 1, 1863, by the proclamation. The Court held: "The emancipation of slaves in this State is a fact which will be judicially noticed by the Courts, and it must be referred to some particular date. It was effected by the nation and not by the State. The only national act that decreed it was the proclamation of the President, of the 1st of January, 1863. The struggle afterward was merely an effort to prevent the proclamation from being carried into effect, and the total failure of the struggle refers emancipation back to that date." The question afterward arose in this Court, when the *date* of emancipation seemed to be questioned, although this decision was reaffirmed. But Mr. Justice Peters delivered a dissenting opinion, rearguing for the full validity and effect of the proclamation as of its date. His opinion displays great learning and good sense. In support of his reasoning he cites the case of *Mc Ilvaine vs. Coxe*, decided by the United States Supreme Court, where it was held that the Declaration of Independence took effect as of its date; July 4, 1776, instead of September 3, 1783, when independence was officially recognized.

Viewed as to its results, the Emancipation Proclamation was an overshadowing and glorious success. It united the friends of the Union. It threw into despairing forces new life. It brought into the armies of the Union as by magic one hundred and eighty thousand soldiers from the enfranchised race. It was the death-blow to slavery, not only in the sections embraced in the proclamation, but in the other slave-holding States, for these other slave-holding States at once proceeded to adopt constitutional amendments abolishing slavery. It was a finishing stroke to the rebellion. Without the proclamation, is it not safe to presume that the Union would have perished?

Therefore are these conclusions irresistible: that President

Lincoln's Emancipation Proclamation was not contrary to international law ; that *by its own force* it abolished slavery as of the date on which it was issued, viz., January 1, 1863 ; that it was in the strictest sense constitutional ; and that no constitutional amendment was necessary to make the proclamation valid or effectual, or to abolish the status of slavery.

The immortal Lincoln was in no sense a smatterer. He was a profound reasoner. He was learned in the law. He studied and understood the Constitution of his country. He did not issue proclamations for sport, or to be hooted at. He did not toy with the mighty concerns of a republic. His every act was governed by the sincerest convictions guided by conscience. He was eminently a statesman. Patriotism and heroism were his crowning virtues. Whatever he did as President was done "to save the Union."

Edward Everett, at the great Emancipation meeting in Faneuil Hall, Boston, in a lengthy and forcible speech, said : "It is very doubtful whether any act of the government of the United States was necessary to liberate the slaves in a State which is in Rebellion. There is much reason for the opinion that, by the simple act of levying war against the United States, the relation of slavery was terminated ; certainly so far as concerns the duty of the United States to recognize it, or to refrain from interfering with it. Not being founded on the law of nature, and resting solely on positive local law, and that not of the United States—as soon as it becomes either the motive or pretext of an unjust war against the Union,—an efficient instrument in the hands of the rebels for carrying on the war,—a source of

military strength to the Rebellion and of danger to the Government at home and abroad ; with the additional certainty that in any event but its abandonment, it will continue in all future times to work these mischiefs. Who can suppose it is the duty of the United States to continue to recognize it? To maintain this would be a contradiction in terms. It would be to recognize a right in a rebel master to employ his slaves in acts of rebellion and treason ; and the duty of the slave to aid and abet his master in the commission of the greatest crime known to the law. No such absurdity can be admitted ; and any citizen of the United States, from the President down, who should by any overt act, recognize the duty of a slave to obey a rebel master, in a hostile operation, would himself be giving aid and comfort to the enemy."

Prof. James C. Welling, in his opinion regarding the proclamation as extra Constitutional, exhausts the subject of its validity, from a stand point of Constitutional and international law—in conclusion he says :

" I pass to consider the force and effect of the Proclamation viewed in the light of constitutional and of public law. And here, again, it is necessary to guard against a confusion of ideas. The question at issue does not concern the right of a belligerent to liberate slaves, *flagrante bello*, by military order accompanied with manucaption, or the right to enlist such liberated slaves in his army, so long as the war lasts. The employment of colored troops, as has been shown, did not depend on the emancipation Proclamation, for the President was opposed to the arming of negroes when he first embarked on his emanci-

pation policy. The questions presented by the Proclamation of January 1, 1863, in the shape actually given to it by Mr. Lincoln, are these:

Firstly. Had the President of the United States, in the exercise of his war powers, a right, under the Constitution and by public law, to decree, on grounds of military necessity, the emancipation and perpetual enfranchisement of slaves in the insurgent States and parts of States?

Secondly. Did such proclamation work, by its own vigor, the immediate, the unconditional, and the perpetual emancipation of all slaves in the districts affected by it?

Thirdly. Did such proclamation, working *proprio vigore*, not only effect the emancipation of all existing slaves in the insurgent territory, but, with regard to slaves so liberated, did it extinguish the status of slavery created by municipal law, inso-much that they would have remained forever free, in fact and law provided the Constitution and the legal rights and relations of the States under it had remained, on the return of peace, what they were before the war?

Unless each and all of these questions can be answered in the affirmative, the Emancipation Proclamation was not authorized by the Constitution or by international law, and so far as they must be answered in the negative it was *brutum fulmen*. It remains, then, to make inquiry under each of these heads:

1. As everybody admits that the President, in time of peace and in the normal exercise of his constitutional prerogatives, had no power to emancipate slaves, it follows that the right accrued to him, if at all, from the war powers lodged in his hands by public law when, as Commander-in-Chief of the army and navy, he was engaged in a life-and-death struggle with insurgents, whose number, power, and legal description, gave them the character of public enemies. It is, therefore, to public law, as enfolded in time of war and for war purposes

in the bosom of the Constitution, that we are primarily to look for the authority under which the President assumed to act.

Of international law no less can be said than has been said by Webster: "If, for the decision of any question, the proper rule is to be found in the law of nations, that law adheres to the subject. It follows the subject through, no matter into what place, high or low. You can not escape the law of nations in a case where it is applicable. The air of every judicature is full of it. It pervades the courts of law of the highest character, and the court of *pie poudre*, ay, even the constable's court."

This international law, with all its belligerent rights, was everywhere present as a potent force in the civil war between the United States and the Confederate States, so soon as that war had assumed such character and magnitude as to give the United States the same rights and powers which they might exercise in the case of a national or foreign war, and everybody admits that it assumed that character after the act of Congress of July 13, 1861. But international law, in time of war, is present with its belligerent *obligations* as well as with its belligerent *rights*, and what those obligations are is a matter of definite knowledge so far as they are recognized and observed in the conduct and jurisprudence of civilized nations.

The law of postliminy, according to which persons or things taken by the enemy are restored to their former state when they come again under the power of the nation to which they formerly belonged, was anciently held to restore the rights of the owner in the case of a slave temporarily affranchised by military capture. And, if it be admitted that, as regards slaves, this fiction of the Roman law has fallen in desuetude under the present practice of nations, it is none the less true that the Government of the United States has earnestly contended, in its intercourse with other nations, for the substantial principle on which the rule is based. We insisted on restoration or restitu-

tion in the case of all slaves emancipated by British commanders in the War of 1812-'15, and the justice of our claim under the law of nations was conceded by Great Britain when she signed the Treaty of Ghent, and when, on the arbitration of Russia, she paid a round sum, by way of indemnity, to be distributed among the owners of slaves who had been despoiled of their slave property. In the face of a precedent so set and so adjudicated by these great powers acting under the law of nations (and one of them subsequently known as the leading anti-slavery power of the civilized world,) it would seem that, as a question of law, the first interrogatory must be answered in the negative. Slaves temporarily captured to weaken the enemy and to conquer a peace are not lawful prize of war by military proceedings alone—proclamation, capture, and deportation. The more fully it be conceded that international law, in time and fact of war, knows the slave only as a person, the more fully must it be conceded that this law, by purely military measures, can take no cognizance of him as a chattel, either to preserve or to destroy the master's property right under municipal law. It leaves questions about the chattel to be settled in another forum, and by another judicature than the wager of battle.

Nor does it help the matter to say that in a territorial civil war the Federal Government is clothed with the rights of a constitutional sovereign in addition to those of a belligerent; for, though this statement is entirely true, it is not true that both of these jurisdictions apply at the same time, or that it is lawful to import the methods and processes of the one into the domain of the other. A government, for instance, may proceed against armed rebels by the law of war—killing them in battle if it find them in battle array; by public law, confiscating their property; by sovereign constitutional law, condemning them to death, for treason, after due trial and conviction. But each of these proceedings moves in a sphere of its own, and the methods

of the one sphere can not be injected into the sphere of the other. It would, for example, be a shocking violation of both constitutional and public law to shoot down insurgent prisoners of war, in cold blood, because they were "red-handed traitors," and because they might have been lawfully killed in battle. The military capture of a slave and the confiscation of the owner's property rights in him fall under separate jurisdictions, and they can not both be condensed into the hands of a military commander any more than into the hands of a judge.

2. No principle of public law is clearer than that which rules the war rights of a belligerent to be correlative and commensurate only with his war powers. "To extend the rights of military occupation or the limits of conquest by mere intention, implication, or proclamation, would be," says Halleck, "establishing a *paper conquest* infinitely more objectionable in its character and effects than a *paper blockade*." It is only so far as and so fast as the conquering belligerent reclaims "enemy territory" and gets possession of "enemy property" that his belligerent rights attach to either. And hence, when Mr. Lincoln, on the 1st of January, 1863 assumed authority, in the name of "military necessity," but without the indispensable *occupatio bellica*, to emancipate slaves in the territory held by the enemy, he contravened a fundamental principle of the public law—a principle equally applicable to the relations of a territorial civil war and of a foreign war. It is important to observe that where this principle was guarded by the rights and interests of foreign nations, as in the case of the Southern ports of entry while they were under the power of the Confederate authority, it was sacredly respected by our Government. And in the lights of this doctrine it follows that the second of the questions formulated above must also be answered in the negative; for as to large parts of the South Mr. Lincoln had no *de facto* power when he assumed to liberate slaves both *de facto* and *de jure* within all the "enemy territory" at that date.

3. Since the decision of Lord Stowell in the case of the slave Grace, it has been an accepted doctrine of jurisprudence that the slave character of a liberated slave—liberated by residing on free soil—is reintegrated by the voluntary return of such slave to the country of the master. Unless, therefore, the Proclamation of Freedom is held to have extinguished the status of slavery in the States and parts of States affected by it, it would have conferred a very equivocal boon on its beneficiaries. For, unless the municipal law of slavery were wiped out by the Proclamation, and by conquest under it, what prevented a reenslavement of such emancipated blacks as should return to their homes after the war? And this fact was made apparent to Mr. Lincoln and to the whole country as soon as an occasion arose for bringing the matter to a practical test.

It was seen that the emancipation of individual slaves even of *all* individual slaves in the insurgent States, was worth nothing without an abandonment of slavery itself—of the municipal status in which the slave character was radicated, and in which it might be planted anew by a voluntary return to the slave soil. It was seen, too, that the Proclamation of Freedom, considered as a military edict addressed to “rebels in arms,” had created a misjoinder of parties as well as a misjoinder of issues, for the authority which controlled the Confederate armies was not competent to “abandon slavery” in the insurgent States, though it was competent to restore “peace and union” by simply desisting from further hostilities. A misjoinder of issues was also created, for each State, under the Constitution as it stood, had a right, in the matter of slavery, to order and control its own domestic institutions according to its own judgment exclusively; and the nation, by the conquest of its own territory, “could acquire no new sovereignty, but merely maintain its previous rights.” The Proclamation proposed to leave the institution of slavery undisturbed in certain States and parts

of States, while destroying it in certain other States and parts of States. Hence, on the supposition that the paper was to have full force and effect after the war, while our civil polity remained the same, a new distribution of powers as between certain States and parts of States on the one hand, and the Federal Government on the other, would have been created by edict of the Executive. Without any express change in the Constitution of the United States, and without any express change in the constitutions of the insurgent States, the status of persons on one side of a State line, or even on one side of a county line, would have depended on municipal law; on the other side of such State or county line it would have depended on a military decree of the President. In this strange mixture of what Tacitus calls "*res dissociabiles—principatum ac libertatem*," it would have been hard to tell where the former ended and the latter began; and to suppose that the civil courts, in the ordinary course of judicial decision, could have recognized such anomalies, while the rights of the States under Constitution were still defined by that instrument, is to suppose that judges decree justice without law, without rule, and without reason. It is safe, therefore, to say that the third question above indicated must equally be answered in the negative.

And even if it be held that the President's want of power to issue the Proclamation without the accompanying *occupatio bellica* and that the consequent want of efficacy in the paper to work emancipation *proprio vigore* were cured by actual conquest under it on the part of the Government, and by actual submission to it on the part of the seceded States, insomuch that it would have operated the extinction of the slave status in those States, it still remains none the less clear that, without a change in the Constitution of the United States prohibiting slavery in the South, the Proclamation must have failed, with the rights of plenary conquest limited by the Constitution, to insure

the perpetual freedom of the slaves liberated under it ; for what under the rights still reserved to the States, would have prevented the future reestablishment of slavery at the South after the return of peace ?

Nobody was more quick to perceive or more frank to admit the legal weakness and insufficiency of the Emancipation Proclamation than Mr. Lincoln. Determined though he was never to retract the paper, or by his own act to return to slavery any person who was declared free by its terms, he saw that, in itself considered, it was a frail muniment of title to any slave who should claim to be free by virtue of its vigor alone. And therefore it was that, with a candor which did him honor, he made no pretense of concealing its manifold infirmities either from his own eyes or from the eyes of the people, so soon as Congress proposed, in a way of undoubted constitutionality and of undoubted efficacy, to put an end to slavery everywhere in the Union by an amendment to the Constitution. Remark- ing on that amendment at the time of its proposal, he said : " A question might be raised whether the Proclamation was legally valid. It might be added that it aided only those who came into our lines, and that it was inoperative as to those who did not give themselves up ; or that it would have no effect upon the children of the slaves born hereafter ; in fact, it could be urged that it did not meet the evil. But this amendment is a king's cure for all evils It winds the whole thing up. "

In the light of these facts, of these principles, and of Mr. Lincoln's own admission, it would seem that the Emancipation Proclamation was extra-constitutional—so truly outside of the Constitution that it required an amendment to the Constitution to bring the President's engagements and promises inside of the Constitution. And surely it will not be pretended that the President, even on the plea of military necessity, has a right to originate amendments to the Constitution, or to wage

war on States until they agree to adopt amendments of his imposing. This would be to "theorize with bayonets, and to dogmatize in blood." This would be to make it competent for the President in time of war to alter the fundamental law of the land by *pronunciamiento*—a mode of proceeding which falls not only outside of the Constitution, but outside of the United States—into Mexico.

The Proclamation fell also outside of the jural relations of slavery under international law. Conceding that slaves, in time of war, are known under international law only as persons, we still have to hold that, as residents of "enemy territory," the slaves here in question were, by the terms of that code, as much "enemies" of the United States as their masters. But the Proclamation treated them as friends and allies. In the eyes of municipal law, they were property, and the Proclamation acknowledged them as such in the act of declaring them free; but as such, they were confiscable only by due process of law, after manucaption; and, whether they were confiscated under public law, or under sovereign constitutional law, would simply depend on the nature and terms of the confiscation act adopted by Congress. If they were confiscated as "enemy property" in order to weaken the enemy, the act would fall under public law. If they were confiscated in order to punish the treason of their owners, whereof, such owners had been duly convicted, the act would fall under sovereign constitutional law. But the Proclamation assumed to confiscate the property rights of the slave-owners without any process of law at all; and so it fell as much outside of public law as it fell outside of constitutional law and of municipal law. Nor has any amendment of public law as yet brought within the sanctions of international jurisprudence the pretension of a belligerent to alter and abolish, by proclamation, the political and domestic institutions of a territory within which he has, at the time, no *de facto* power. On the

contrary, the pretension is traversed by the latest codifications of international law, and by the latest publications of our own State Department. And hence it is no matter of surprise that the first international lawyers of the country, like the Honorable William Beach Lawrence, and the first constitutional lawyers of the country, like the late Benjamin R. Curtis, have recorded their opinion as jurists against the legality of the Emancipation Proclamation.

Lawyers, as Burke said at the beginning of the American Revolution, "have their strict rule to go by," and they must needs be true to their profession, but "the convulsions of a great empire are not fit matter of discussion under a commission of Oyer and Terminer." The Emancipation Proclamation did not draw its breath in the serene atmosphere of law. It was born in the smoke of battle, and its swaddling-bands were rolled in blood. It was in every sense of the word a *coup d'etat*, but one which the nation at first condoned, and then ratified by an amendment to the Constitution. As Mr. Welles says, "It was a despotic act in the cause of the Union"—an act, he adds, "almost revolutionary," and it was *almost* and not *altogether* revolutionary, simply because it fell short of the practical and legal effects at which it was nominally aimed. It was, in fact, martial law applied to a question of politics and of polity; and of martial law, Sir Matthew Hale has said that "in truth and reality it is no law at all, but something indulged." If we would look for its fountain and source, we must look to an institute which makes small account of all human conventions and charters—the *lex talionis*. The Proclamation was the portentous retaliatory blow of a belligerent brought to bay in a death-grapple, and who drops his "elder-squirts charged with rose-water" (the phrase is Mr. Lincoln's), that he may hurl a monstrous hand-grenade, charged with fulminating powder, full in the faces of the foe. The phenomenon is as old as the history of civil war ;

and because he saw it was likely to reappear, so long as human nature remains the same, Thucydides had a presage that his history of the civil war between Athens and Sparta would be "a possession for ever." "War," he wrote, "is a violent master, and assimilates the tempers of most men to the condition in which it places them." So Cromwell, in the hour of his political agony, exclaimed against "the pitiful, beastly notion" that a government was to be "clamored at and blattered at," because it went beyond law in time of storm and stress.

And there *is* something worse than a breach of the Constitution. It is worse to lose the country for which the Constitution was made; but, if the defense of the Proclamation can be rested on this ground, the fact does not require us to teach for doctrine of law that which is outside of law and against law. Mr. Jefferson held the Louisiana purchase to be extra-constitutional, but he did not try to bring it inside of the Constitution by construction. That he left to others. It seems a waste of logic to argue the validity of Mr. Lincoln's edict. It moved above law, in the plane of state-craft. Not that its author, in so proceeding, moved on the moral plane of the insurgents. He wrought to save, they to destroy, the Union. Not that he acted in malice, for, as he protested, the case "was too vast for malicious dealing." And not that he clearly foresaw the end of his step from its beginning. The fateful times in which he acted the foremost part were larger than any of the men who lived in them, tall and commanding as is the figure of the benign war President, and the events then moving over the dial of history were grander than the statesmen or soldiers who touched the springs that made them move. It was a day of elemental stir, and the ground is still quaking beneath our feet, under the throes and convulsions of that great social and political change which was first definitely foreshadowed to the world by the Emancipation Proclamation of Abraham Lincoln."

Mr. Ridpath, the historian, says, "that if the Emancipation Proclamation is to be regarded as the cause of the freedom of the African race in the United States, then indeed must it be considered as among the most important documents known to history. Perhaps the most important. The inexorable logic of events was crowding rapidly bringing about the Emancipation of the slaves.

The National Government fell under a stringent necessity to strike a blow at the labor system of the Southern States. With every struggle of the war the sentiment of abolition at the North rose higher and higher.

The President himself and the chief supporters of his administration had for years made no concealment of their desire that all men everywhere should be free.

The occasion was at hand, Mr. Lincoln seized and generalized the facts, embodied them in his own words, and became for all time the oracle and interpretation of national necessity."

Now the answer to the questions. They can best be answered by one who took a very conspicuous part in bringing about the sequel, in fact, was a pioneer in the cause of human rights and emancipation. Henry Wilson, in his Anti-Slavery measures in Congress says:

"The speaker of the House of Representatives on the 14th of December, 1863, after announcing the standing committees, stated that the first business in order

was the call of the States for bills and joint resolutions. Thereupon Mr. Ashley, chairman of the committee on Territories, introduced a bill to provide for submitting to the States a proposition to amend the Constitution, prohibiting slavery." Mr. Wilson of Iowa, submitted a similar proposition. These were referred to the Judiciary committee.

1864. In the senate on the 11th of January, Mr. Henderson of Missouri, introduced a joint resolution, proposing an amendment to the Constitution, abolishing slavery. Mr. Sumner, on the 8th of February, introduced a joint resolution in the same body, having for its object the abolition of slavery also; these were referred to the Judiciary committee of the Senate, on the 10th, two days after.

Mr. Trumbull, of Ill., Chairman of the Judiciary committee, reported adversely on Mr. Sumner's resolution. He reported Mr. Henderson's resolution with an amendment, which read :

" That the following article be proposed to the legislatures of the several States, as an amendment to the Constitution of the United States, which, when ratified by three fourths of said legislatures, shall be valid, to all intents and purposes as a part of the said Constitution ;—namely :

SECTION 1. Neither slavery nor involuntary servitude, except as a punishment for crime, whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction.

SECTION 2. Congress shall have power to enforce this article by appropriate legislation.

On the 8th of April the proposition was adopted by the Senate by 38 yeas to 6 nays. During the debate Senator Wilson of Mass. said:

“The crowning act in this series of acts for the restriction and extinction of slavery in America, is this proposed amendment to the Constitution, prohibiting the existence of slavery for evermore in the Republic of the United States. If this amendment shall be incorporated by the will of the nation into the Constitution of the United States, it will obliterate the last lingering vestiges of the slave system—its chattelizing, degrading, and bloody codes; its dark, malignant, barbarizing spirit; all it was and is; every thing connected with it or pertaining to it—from the face of the nation it has scarred with moral desolation, from the bosom of the country it has reddened with the blood and strewn with the graves of patriotism. The incorporation of this amendment into the organic law of the nation will make impossible for evermore the re-appearing of the discarded slave system, and the returning of the despotism of the slave-master’s domination. Then, sir, when this amendment to the constitution shall be consummated, the shackle will fall from the limbs of the hapless bondman, and the lash drop from the weary hands of the task-master. Then the sharp cry of the agonizing hearts of severed families will cease to vex the weary ear of the nation, and to pierce the ear of Him whose judgments are now avenging the wrongs of centuries. Then the slave mart, pen, and auction-block, with their clanking fetters for human limbs, will disappear from the land they have brutalized; and the schoolhouse will rise to enlighten the darkened intellect of a race imbruted by long years of enforced ignorance. Then the sacred rights of human nature, the hallowed family relations of husband and wife, parent and child, will

be protected by the guardian spirit of that law which makes sacred alike the proud homes and lowly cabins of freedom. Then the scarred earth, blighted by the sweat and tears of bondage, will bloom again under the quickening culture of rewarded toil. Then the wronged victim of the slave system, the poor white man, the sand-hiller, the clay-eater, of the wasted fields of Carolina, impoverished, debased, dishonored by the system that makes toil a badge of disgrace, and the instruction of the brain and soul of man a crime, will lift his abashed forehead to the skies, and begin to run the race of improvement, progress and elevation. Then the nation, 'regenerated and disenthralled by the genius of universal emancipation,' will run the career of development, power, and glory, quickened, animated, and guided by the spirit of the Christian democracy, that 'pulls not the highest down, but lifts the lowest up.' "

On the 31st of May, the proposition was taken up by the House of Representatives and debated until the 15th of June, when, by a vote of 93 yeas to 65 nays, 23 not voting, the measure was lost.

President Lincoln in his Message to Congress, December, 1864, urges the adoption of the xiii amendment, rejected at the previous session; on motion of Mr. Ashley 1865. of Ohio, the House on the 6th of January, took up the amendment and after a stubborn opposition the measure was passed on Tuesday, the 31st of January 1865.* In the House, Mr. Herrick of N. Y., said, closing the debate on the amendment:

"I shall now vote for the resolution, as I formerly voted against it, because I think such action on my part is best calcu-

* The Secretary of State dates the passage of the amendment, February 1st; this date is evidently incorrect.

lated to assist in the maintenance of the Government, the preservation of the Union, and the perpetuation of the free institutions which we inherited from our fathers. I may incur the censure of some of my party friends on this floor, and perhaps, displease some of my respected constituents; but to me the country of my birth, and the Government under whose benign protection I have enjoyed all the blessings of liberty, and under which, restored to more than all its original splendor, and strengthened and purified by the trials through which it has passed, I expect my children's children to enjoy the same blessings long after my mortal frame shall have mouldered into dust is dearer to me than friends or party or political position. Firm in the consciousness of right, I know that posterity will do me justice, and feel that no descendant of mine will ever blush at the sight of the page on which my vote is recorded in favor of country, government, liberty, and progress."

Notwithstanding slavery had been abolished in the territories, and in the District of Columbia, Congress had by act given freedom to the Negro soldiers, their wives and children; the states of Maryland, West Virginia and Missouri, had emancipated their slaves, although the President's Emancipation Proclamation; the reorganized state governments of Tennessee, Virginia and Louisiana had aimed a blow at slavery, yet it existed in Delaware and Kentucky, hence the thirty eighth Congress, acting upon the advice of President Lincoln, passed, and the legislature of the States ratified, the thirteenth amendment, thereby making it a part of the organic law of our country.

Gradually, human slavery, as an institution, disappears from all governments called civilized.

The Cause and Progress
of Emancipation.

THE CAUSE AND PROGRESS OF EMANCIPATION.

The most notable events in the history of the United States are their successful emancipation from the control of Great Britain—the emancipation of 4,000,000 Negro slaves, and the total extinction of slavery by revolution and civil war ; this, however, was not accomplished without the most bitter opposition upon the part of many whose fortunes were cast with the States. In the late war there were three distinct parties or classes of citizens in the Northern or free States, each claiming the war to be unnecessary, and after two years of struggle for the mastery between the Northern and Southern armies, attended with the loss of thousands of lives, and an expenditure of millions of dollars, the Union army penetrating deeper and deeper into the Southern territory, even then these parties demanded the cessation of hostilities and a return to peace at any price. Who were they that composed these parties? First, a considerable number of citizens, too ignorant of the history of the country, to know what the conflict was about, and then a smaller class, though better informed than the first mentioned, but without moral comprehension of the uncompromising opposition of slave society to emancipation, they adhered to the belief that between these opposing elements a substantial compromise could be effected. The other class composed of huck-

stering politicians and office seekers whose efforts were to so control the other two classes as to clog the wheels of the Federal Government, and compel a surrender to the rebels, they dictating the terms, either a separation from the United States, or a reconstruction of the seceded States, with their old power of aristocratic society.

My aim is to show in these pages not only the fallacy of these positions, but by facts the progress of emancipation in the different positions of the country, previous to the late war.

A careful study of the census of 1860, will show conclusively that the slave power, in order to preserve itself from annihilation by the prodigious growth and powerful influence of Republicanism, attempted to destroy the Union of the United States, thus following in the identical rut springing from the same necessity, having a common origin with all great conflicts that have taken place between freedom and slavery since the establishment of governments on earth. History proves beyond a doubt that the advancing spirit of freedom has always been met by a relentless war waged by the oppressors of mankind—just such as the aristocracy of our land set up against the advancement of the people's emancipation from the thralldom of the slave power. In the evolution a continuous struggle goes on ever between Democracy and Aristocracy, either in the interest of self-government or an imperial rule that finally

rests upon the suffrage of the people which, eventually, burst into civil war, and leaves the people nearer if not in complete emancipation.

The Northern Grecian states represented the cause of the people; and the oriental empires the cause of the few. These little states grew so rapidly that the despots of Asia became alarmed, and organized gigantic expeditions to destroy them. At Marathon and Salamis, the people's cause met and drove back the mighty invasion; and two hundred years later, under the lead of Alexander, dissolved every Asiatic empire, from the Mediterranean to the Euphrates, to its original elements.

Julius Cæsar destroyed the power of the old Roman aristocracy in the interest of the people of the Roman empire. Under the name of 'The Republic,' that patrician class had oppressed the people of Rome and her provinces for years as never was people oppressed before. After fifty years of civil war, Julius and Augustus Cæsar organized the masses of this world-wide empire, and established a government under which the aristocracy was fearfully worried, but which administered such justice to the world as had never before been possible.

The religious wars of the sixteenth and seventeenth centuries, which involved the whole of Europe for eighty years, were begun by the civil and religious aristocracy of Europe to crush the progress of religious and civil liberty among the people. These wars continued un-

til religious freedom was established in Germany, Holland, and Great Britain, and those seeds of political liberty sown that afterward sprang up in the American republic.

The English civil wars of the seventeenth century were begun by the king and great nobles to suppress the rising power of the commons, and continued till constitutional liberty was practically secured to all the subjects of the British empire.

The French Revolution was the revolt of the people of France against one of the most cruel and tyrannical aristocracies that ever reigned; and continued with brief interruptions, till the people of both France and Italy had emancipated themselves and vindicated the right to choose their emperors by popular suffrage.

During the half century between the years 1775 and 1825, the people in North America threw off the power of a foreign aristocracy by war, and established a republican form of government, except the Canadas, which secured the same practical results by more peaceful methods.

The historian perceives that each of these great wars was an inevitable condition of liberty and emancipation for the people. In all these struggles there were the same kinds of opponents to the war: the ignorant, who knew nothing about it; the morally indifferent, who could not see why freemen and tyrants could not agree to live together in amity; and the demagogues, who were willing to ruin the country to exalt

themselves. But we now understand that only through these red gates of war could the people of the world have marched up to their present enjoyment of liberty and emancipation, that each flaming portal is a triumphal arch, on which is inscribed the great conquest for mankind—emancipation.

The late civil war in the United States was the last frantic attempt of this dying feudal aristocracy to save itself from inevitable dissolution. The election of Mr. Lincoln as President of the United States, in 1860, by the vote of every Free State, was the announcement to the world that the people of the United States had finally and decisively conquered the feudal aristocracy of the republic after a civil contest of eighty years. With no weapons but those placed in their hands by the Constitution of the United States, the freemen of the republic had practically put this great slave aristocracy under their feet forever. That portion of the Union which was controlled by the will of the whole people had become so decidedly superior in every attribute of power and civilization, that the slave aristocracy despaired of further peaceful resistance to the march of liberty through the land—like every other aristocracy that has lived, it drew the sword against the people either to subdue the whole country, or carry off a portion of it to be governed in the interest of the slave oligarchy, of 300,000. Had the people of the North by tyrannical legislation, or abuse of power, incited the Southern aristocracy to wrath, they would have had a

pretext for taking up arms, other than that of supposition of unfair play; the sparks that exploded their magazine came from the fires of liberty and emancipation—this was the real cause of the war—the *peaceful, constitutional triumph of the people over the aristocracy of the republic, after a struggle of eighty years*. If ever a great oligarchy had good reason to fight, it was the Slave Power in 1860. It found itself defeated and condemned to a secondary position in the republic, with the assurance that its death was only a question of time. It is always a good cause for war to an aristocracy that its power is unbridged; for an aristocracy cares only for itself, and honestly regards its own supremacy as the chief interest on earth. This Slave Power only done what every such power has done since the foundation of the world. It drew the sword against the inevitable progress of mankind, but was conquered by mankind. It waged a terrible war, not against Northern Abolitionists, or the Administration, *but against the United States census tables of 1860*; against the mighty realities of the progress of free society in the republic, which startled all; but with which no class of men were so well acquainted as Mr. Jefferson Davis and his associates in rebellion.

There was always a conflict in our country between this old slave aristocracy and the people. The first great victory of the people was in the war of the Revolution. That war was inaugurated and forced upon the country by the masses of the people of the New England and Middle States. The aristocracy of the

South, with their associates in the North, resisted the movement to separate the people from the crown of Great Britain, till resistance was impossible, and then came in, to some extent, to lead the movement and appropriate the rewards of success. But the free people of the North brought on and sustained the war. Massachusetts was then the fourth province in population; but she sent eight thousand more soldiers to the field during those bloody eight years than all the Southern States united. Virginia was then the empire State of the Union, and Rhode Island the least; but Virginia furnished only seven hundred more soldiers than little Rhode Island. New England furnished more than half the troops raised during the Revolution; and the great centres of aristocracy in the Middle and Southern States were the stronghold of Toryism during the war. Indeed, a glance at the map of the Eastern and Middle States reveals the fact that the head-quarters of the 'peace party' in the Revolutionary and the late war were in precisely the same localities. The 'Copperhead' districts of New York, New Jersey, and Pennsylvania were the old Tory districts of the Revolution. The Tories of that day, with the mass of the Southern aristocracy, tried to 'stop the war' which was to lay the foundations of the freedom of all men. The Tories in the war of 1860, were engaged in the same infamous enterprise, and their fate was the same.

Had the Slave Power been united in 1776, America never would have gained her independence. But it was

divided. Every State was nominally a Slave State ; but slaveholders were divided into two classes. The first was led by Washington, Jefferson, Madison, and other illustrious aristocrats, North and South ; and, like the Liberal lords of Great Britain, threw their influence on the side of the people. This party, very strong in Virginia, very weak in the Carolinas, dragged the South through the war by the hair of its head, and compelled it to come into the Union. It also resolved to abolish the Slave Power, and succeeded in consecrating the whole Northwestern territory to freedom as early as 1790. The opposition party had its headquarters at Charleston, was treasonable or lukewarm during the war, and refused to come into the Union without guarantees for slavery.

The result of the whole struggle was, that the people of the thirteen colonies, with the help of a portion of their aristocracy, severed the country from Great Britain, and established a Government by which they, the people, believed themselves able, in time, to control the whole Union, and secure personal liberty in every State. For 'the compromises of the Constitution' mean just this: that our National Government was a great arena on which aristocracy and democracy could have a free fight. If the aristocracy beat, that Government would be made as despotic as South Carolina ; if the democracy triumphed, it would become as free as Massachusetts. That was what the people had never

before achieved : *a free field to work for a Christian democracy and Emancipation*. God bless the sturdy people of New England and the Middle States for this ! God bless George Washington and Thomas Jefferson, John Marshall and the liberal gentlemen of the Old Dominion, for helping the people do it. They did not win the victory, as many have supposed ; but they bravely helped to lead the people of the Free States to this great military and civil achievement. Virginia was richly paid for the service of her aristocracy. But history tells us who did the work, and how nobly it was done.

The republic was now established, with a Constitution which might be made to uphold a Republican or an aristocratic government, as either party should triumph. The Slave Power, forced half reluctantly into the Union, now began to conspire to rule it for its own uses. All that was necessary, it thought, was to unite the aristocracy against the people. And this work was at once well begun. The first census was taken in 1790, and the last before the war in 1860. This period divides itself, historically, into two portions. The thirty years from 1790 may be regarded as the period of the *consolidation of the Slave Power, and its first distinct appearance as a great sectional aristocracy in 1820, in the struggle that resulted in the ' Missouri Compromise.'* The forty years succeeding 1820 may be called the period of the *consolidation of freedom to resist this assault, and the final triumph of Republicanism in 1860, by the election of a President.*

The first thirty years was a period of incessant activity by the slave aristocracy. It incurred a nominal loss in the abolition of slavery in eight Eastern and Middle States, and the consecration of the great Northwestern territory to freedom ; out of which three great Free States had already been carved ; making, in 1820, eleven Free States. But it had gained by the concentration of its power below the line of the Ohio and Pennsylvania boundary, the division of the territory belonging to the Carolinas, and the Louisiana purchase ; whereby it had gained five new Slave States ; making the number of Slave States equal to the Free—eleven. It put forward the liberal aristocracy of Virginia to occupy the Presidential chair during thirty-two of the thirty-six years between 1789 and 1825 ; thus compelling Virginia and Maryland to a firm alliance with itself. It had manœuvred the country through a great political struggle and a foreign war, both of which were chiefly engineered to secure the consolidation of the slave aristocracy. In 1820 its power was extended in eleven States, containing four hundred and twenty-four thousand square miles, with one hundred and seventy nine thousand square miles of territory, sure to come in as Slave States ; and the remainder of the Louisiana purchase not secure to liberty. It had a white population only seven hundred thousand less, while its white and black population was a million more than all the Free States.

The North was barely half as large in area of States: two hundred and seventy thousand square miles, with only one hundred thousand square miles in reserve of the territory dedicated to liberty. With an equality of representation in the Senate of the United States, and a firm hold of all the branches of the Government, the prospect of the oligarchy for success was brilliant. In every nation the aristocracy first gets possession, organizes first, and proceeds deliberately to seize and administer the government. The people are always unsuspicious, slow, late in organizing, and seem to blunder into success or be led to it by a Providence higher than themselves. In this Government the slave aristocracy first consolidated, and in 1820 appeared boldly on the arena, claiming the superiority, and threatening ruin to the republic in the event of the failure of their plans. It had managed so well that there was no division in its ranks, and for forty years moved forward in solid column to repeated assaults on liberty.

The people did not suspect the existence of this concentrated power till 1820. They made a brave militia fight then against the aristocracy, and compelled it to acknowledge a drawn battle by the admission of Maine to balance Missouri, and the establishment of a line of compromise, which would leave all territory north of 36 degs. 30 min., consecrated to freedom. The Slave Power submitted with anger, intending to break the bargain as soon as it was strong enough, and con-

tinued on its relentless struggle for power. It determined to gain possession of the Senate of the United States; make it a house of nobles; control through it the foreign policy, the Executive, and the Supreme Court; and, with this advantage, reckoned it could always manage the House of Representatives and govern the Nation. The key to all the political policy of the Slave Power through these forty years, was its endeavor to capture the Senate of the United States, and hold it, by bringing in a superior *number* of Slave States. So well did it play this card that, till 1850, it maintained an equality of senatorial representation, and by the help of Northern allies and the superior political dexterity of the aristocracy, controlled our foreign policy; kept its own representatives in all the great courts of Europe; made peace or war at will: managed the Executive through a veto on his appointments; and endeavored to fill the Supreme Court with men in favor of its policy, while the House of Representatives never was able to pass a measure without its consent. Under the forty years' reign of the Slave Power, the Senate of the United States was a greater farce in the republic than the crown and House of Lords in the British empire. Indeed, so well did this aristocracy play its part, *that it was supposed by the whole world to be the American Government*; and the news that the people of the United States refused, in 1860, to register its behests, was received abroad with the same astonishment and indig-

nation as if there had been a revolt of the subjects of some European nation against their anointed rulers.

But spite of these great advantages at the outset—spite of its incredible political activity and admirable concentration, the slave aristocracy was finally defeated by the people. How this was done is a most interesting narrative in modern history. Never has the intrinsic superiority of a democratic over an aristocratic order of society been so magnificently vindicated as during that forty years of our national career. During that period the free portion of this Union grew to an overwhelming superiority over the slave portion, and compelled the slaveholders to draw the sword to save themselves from material and providential destruction.

This period of forty years may be regarded as that of *the consolidation of the people*. The first thirty years of it was the era of their *industrial and social consolidation*; the following ten years was the period of their *political union against the Slave Power*.

An aristocracy always exhibits the uttermost pitch of human policy in its career, and amazes and outwits society by its marvellous display of executive ability. But the people are always moved by great supernatural forces that are beyond their comprehension, often disowned or scorned by them, but which mould their destiny and lead them to a victory spite of themselves. The people always grow without conscious plan or method, and rarely know their own strength. But

there are always a few great men who represent their destiny, and, often against their will, direct them in the path to liberty. History will record the names of three great men who, during these forty years, were the most notable figures in this consolidation of the people in this republic ; three men that the implacable hatred of the Slave Power singled out from all other Northern men as special objects of infamy ; men who represented the industrial, moral, and political phases of the people's growth to supremacy. Each came when he was wanted, and faithfully did his work ; and their history is the chronicle of this advance of liberty and emancipation in the republic.

The first of these men was De Witt Clinton, of New York. No Northern man so early discovered the deep game of the Slave Power as he. He was the ablest statesman of the North in the days when the aristocracy of the South was just effecting its consolidation. He was a prominent candidate for the Presidency and was scornfully put down by the power that ruled at Richmond. The slaveholders knew him for their clear-headed enemy, and drove him out of the arena of national politics. Never was political defeat so auspicious. Cured of the political ambition of his youth, Mr. Clinton turned the energies of his massive genius to the *industrial consolidation of the North*. He saw that all future political triumph of liberty must rest on the triumph of free labor. He anticipated the coming great-

ness of the Northwest, and boldly devoted his life to the inauguration of that system of internal improvements which made the Northern States a mighty, free industrial empire. Within the period of ten years lying nearest 1820, the people, under the lead of Clinton and his associates, had brought into active operation the three great agencies of free labor—the steamer, the canal, the railroad; while the manufacturing industry dates from the same period.

This was the providential movement of a great people, organizing a method of labor which should overthrow the American aristocracy. Of course the people did not know what all this meant; thousands of the men who were foremost in organizing Northern industry did not suspect the end; but De Witt Clinton knew. The wisecracks of New York nicknamed his canal ‘Clinton’s Ditch.’ It was the first ditch in that series of continental ‘parallels’ by which the people of the North approached the citadel of the Slave Power. They dug in those vast intrenchments for forty years, to such purpose that in 1860 the great guns of free labor commanded every plantation in the Union. The Northern spade was a slow machine—but it shoveled the slave aristocracy into the Gulf of Mexico.

Glance over this field of industrial and material growth in the free portion of the Union, as it appeared in 1860.

At that time the Free States had increased to

nineteen, while the Slave States were fifteen, containing eight hundred and seventy-five thousand square miles. The people had nine hundred and fifty thousand square miles organized into free-labor States, with eight vast Territories, containing one million square miles, an area equal to twenty-four States as large as New York. In this vast extent of States and Territories, including two thirds the land of the Union, there were not a hundred slaves.

Look at the position and value of these possessions of freedom. In 1850 liberty secured the great State of California, and in 1860 the State of Kansas. These States insured the possession of the whole Pacific coast the entire mineral wealth of the mountains, the Indian Territory, and the vast spaces of Northwestern Texas to freedom, and opened Mexico to Northern occupation. In the East, freedom had already secured the best harbors for commerce; in the Northwest, the granary of the world; the inexhaustible mineral wealth of Lake Superior, and the navigation of thousands of miles upon the great inland seas that separate the Republic from the Canadas. From the Northern Atlantic and the Pacific it commanded the trade of Europe and Asia.

Freedom had secured, in 1860, a population of twenty millions, while the Slave Power had reached but twelve millions, one third of whom were slaves. From 1850 to 1860 the Union gained almost as much in population as the entire census of 1820; and of that

gain the North secured forty-one and the South but twenty-seven per cent. The slave population increased but twenty-three per cent. Between 1820 and 1860 five million emigrants reenforced the Union, of which the North received the greater portion. Between the war of 1814 and 1860, Great Britain and Ireland sent to the U. S., more people than inhabited the thirteen States that formed the Union, and of this immigrant population there was an excess of nine hundred and fifty thousand *men*—a nation poured in upon the great, free North, to reenforce the people.

Already was this increase of free population telling upon slave labor in Slave States. Even in the Gulf cities slavery was fast receding before the brawny arms of Hans and Patrick. Northwestern Texas was becoming a new Germany. Western Virginia, Maryland, Missouri, and Delaware were rapidly losing in slave labor; while along the border had grown up a line of ten cities in Slave States, containing six hundred thousand people, of whom less than ten thousand were slaves. This line of cities, from Wilmington, Delaware, to St. Louis, Missouri, was becoming a great cordon of free-labor citadels; supported in the rear by another line of Free Border-State cities, stretching from Philadelphia to Leavenworth, containing nine hundred thousand; thus *massing a free population of one million five hundred thousand in border cities that over-looked the land of despotism.*

Then consider the growth of free agriculture. In 1860 the South had a cotton and rice crop as her exclusive possession. Already the Northwest was encroaching upon her sugar cultivation. Against her agriculture, mainly supported by one great staple, which could also be cultivated all round the globe, the free North could oppose every variety of crop; several of greater value than the boasted cotton. In all the grains, in cattle and the products of the dairy, in hay, in fruits; in the superior cultivation of land; in the vastly superior value of land; in agricultural machinery, probably representing a labor force equal to all the slaves—the superiority of freedom was too evident for discussion. *The value of agricultural machinery in the Free States had trebled between 1850 and 1860.* The Homestead Law was the fit result of this vast advance of free labor, and sealed the destiny of every Territory of the Union.

Then contemplate the vast expansion of manufacturing industry, of which nine tenths belong to the Free States. *In ten years from 1850 to 1860, this branch of labor had increased eighty-six per cent.,* reaching the enormous sum of \$2,000,000,000; \$60 for every inhabitant of the Union. A million and a half of people were engaged as operatives therein, supporting nearly five millions—one sixth of the whole population of the Union; while fully one third of our population was directly and indirectly living by manufactures.

The increase of iron manufactures in ten years was

forty-four per cent. ; the coal mines reached a treble yield in ten years ; \$10,000,000, of clothing were produced in 1860. The lumber trade had increased sixty-four per cent. in ten years, reaching \$100,000,000. Flouring mills showed sixty-five per cent. increase, reaching \$225,000,000 ; spirits, \$24,000,000 ; cotton manufactures had increased seventy-six per cent. in ten years, reaching \$115,000,000 ; woollens had increased sixty-seven per cent. ; boots and shoes walked up to \$76,000,000, and leather to \$63,000,000. The fishermen of New England increased mightily. The gold of California, the copper of the Northwest, the salt of New York and Michigan had reached colossal proportions. Whoever studies the manufacturing statistics of the North for the ten years from 1850 to 1860 will be at no loss to know why the manufacturers of Great Britain were willing to sever the Slave States from the Union, to gain a customer the North was thus supplying in 1860.

Now add to this array of agriculture, manufactures, extent of territory, and excess of population, the superiority of the Free States in commerce. The tonnage of the Union was twenty-six millions in 1860, the fourth of which was the growth of the ten years previous. Out of the one thousand and seventy-one ships built in 1860, the ' nation ' of South Carolina produced one steamer and one schooner ! Contemplate the money power, the vast capital invested in trade, in banks, insurance, and the like, in the North. The slave aristocracy was becoming imprisoned in a vast web of finan-

cial dependence—a web that war and wholesale repudiation of debts alone could break through.

In 1860 there were in the Union 30,600 miles of railroad, costing \$1,134,452,909, four times the extent of 1850. In 1850 only one line of railroad connected the Atlantic with the Mississippi. Now, of the eight great railroad and canal routes connecting the sea coast with this valley, six run through the Free States; transportation on these avenues cost but one tenth the old methods. Governor Letcher of Va., declared the Baltimore and Ohio Railroad ‘abolitionized’ Northern and Western Virginia, and the Southern rebellion was especially savage on railroads. Whoever would understand one secret of the consolidation of the people should study the railroad map of the Northern States, and contrast it with the South. It was a fine tribute to the value of the railroad that the first use the people made of their new political supremacy in 1860 was to pass the bill for connecting the Atlantic and Pacific by the iron rail and the telegraphic wire.

This vast advancement in free labor, from 1820 to 1850, was fitly closed in 1850 by the annexation of California to the roll of the Free States, securing to liberty the gold mines and the Pacific coast. It is impossible to comprehend all the consequences of this step. It was the decisive industrial triumph of the people over the slave aristocracy. The Slave Power went mad over the defeat, *and for ten years virtually abandoned the rivalry of industries, and turned to violence, breaking of*

compromises, forcible seizure of the ballot box, repudiation of debts, finally cruel war, as if fraud and violence, in the long run, could upset free and honest industry. After the loss of California and the Pacific coast, the struggle for the Territories was but a preliminary skirmish of the war for the conquest and desolation of the Union. The people *waged the battle of liberty with the gigantic agencies of material prosperity for forty years, and the aristocracy was completely in their power.*

For this material superiority of the free-labor States inevitably inured to the advantage of liberty. In vain did every new Free State, year after year, vote with the Slave Power; in vain did every great rail-road and manufacturing corporation of the North obey the political behests of the lords of the plantations; in vain was the mercantile aristocracy of all the great cities the fast friend of the slave aristocracy; and vainly did almost the entire immigrant population fall politically into its control. All this was nothing *against the irresistible natural tendency of free labor.* The Irishman who voted against the Negro was breaking his chain with every blow of his pick. The Wall-street banker, the great railroad king, the cotton manufacturer, who railed against abolitionism like mad-men, were condemning the slave aristocracy every day they lived. There is a divine law by which the work of freemen shall root out the work of slaves; and no law enacted by the will of Northern doughfaces could repeal this statute of nature. These Northern friends of the aristocracy

supposed themselves to be helping their ambitious allies by their political support. But the slaveholders knew how fallacious was this aid. They saw that the North was gaining a huge superiority to the South; that the people were slowly consolidating; that when the free-labor interest did finally concentrate, it would carry every Northern interest with it, and, when the pinch came, no Northern party or statesman could or would help them do their will. They carefully sifted all offers of aid from such quarters, and having used every Northern interest and institution and party till it was squeezed dry of all its black blood, they turned their backs haughtily on the free sections of the Union, plundered friend and foe alike, and flew into civil war, out of spite and rage at the census of 1860; in other words, *declared war against the providence of God as manifested in the progress of Emancipation and free-labor*. They fought well; at first, perhaps, better than the North, but General Lee couldn't flank the industrial decrees of the Almighty, nor could Stuart 'cut the communications' between free labor and imperial power.

But was this great material gain of the people accompanied by a corresponding spiritual advancement? *Was man to become the chief object of reverence in this wonderfully expanding industrial empire?* If not, all this progress was deceptive, and nobody could predict how soon free labor superiority would be turned to the

advantage of that aristocracy which had perverted so many things in the republic.

It can not be denied that the Free States made wonderful strides during these forty years, in mental cultivation and power. The free industry of the North was an education to the people, and nowhere has so much popular intelligence been carried into the business of life as there. This period also witnessed the organization of the free school everywhere outside of New England, its home; and the South, where education was not wanted only for the aristocracy: the daily press, the public lecture, the creation of an American literature, all Northern; the growth of all institutions of learning and means of intellectual and artistic cultivation unparalleled in any other age or land. No well-informed person can deny the astonishing progress in furnishing the means of religious instruction, the multiplication of churches, great ecclesiastical organizations, and philanthropic leagues. Notwithstanding the apparent absorption of the North in its material prosperity, no people ever was so busy in furnishing itself with the means of spiritual improvement; and though a population of several millions of ignorant and superstitious foreigners was thrown in upon it during these eventful years, it came out at the end the most intelligent people, the best provided with the apparatus of religion, that was ever known.

But one element was yet wanting to assure the right usage of all this wealth of material, intellectual,

ecclesiastical power. This was what the slaveholding aristocracy saw at once to be the fatal omen for their cause, and nicknamed 'Abolitionism.' *Abolitionism, as recognized by the Slave Power, was nothing more nor less than the religious reverence for man and his natural rights.*

This moral respect for the nature and rights of all men has always encountered the peculiar scorn of aristocracies, and no men have been so bitterly persecuted in history as those who represented the religious opposition to despotism. The Hebrew aristocracy in old Palestine called this sentiment 'atheism' in Jesus Christ, and crucified Him. The pagan aristocracy called it a 'devilish superstition' in the early Christians, and slaughtered them like cattle. The priestly and civil absolutism of the sixteenth century called it 'fanaticism' in the Dutch and German reformers, and fought it eighty years with fire and rack and sword. The church and crown nicknamed it 'Puritanism,' and persecuted it till it turned and cut off the head of Charles the First, and secured religious liberty. The slave aristocracy stigmatized it 'Abolitionism,' and let loose upon it every infernal agency in its power.

One great man, yet alive, but not yet recognized as he will be, was the representative of this religious reverence for the rights of man. Lloyd Garrison was for twenty-five years, the best-hated man in the Northern States, not because he failed to see just how a Union of Free and Slave States could endure; not be-

cause of any visionary theory of political action or the structure of society he cherished ; but strangely enough, because *he stood up for man and his divine right to freedom*. This was what the aristocracy hated in him, and this is what, with inexpressible rage, it saw gaining in the North. It truly said that Northern education, arts, literature, press, churches, benevolent organizations, and families, all that was best in Northern society, even politics, were being consolidated by this ‘fanaticism,’ ‘Puritanism,’ ‘Abolitionism’—otherwise, by *reverence for man and his right to freedom*.

It grew, however, almost as fast as the material power of the North—this moral conviction of the divine right of man to liberty ; grew so fast, that in 1860, South Carolina glanced over the November election returns, saw the name of Abraham Lincoln at the head, shrieked, ‘*The North is abolitionized!*’ and rushed out of the Union, with ten other Slave States at her heels, while four more were held back by the strong arm of the national power. The North was not yet ‘abolitionized,’ but every volley fired at liberty by the Slave Power for three years, killed a lover of slavery, and made an Abolitionist ; as the juggler fires his pistol at your old black hat, and, when the smoke clears up, a white dove flutters in its place.

Thus did the Free States, the people’s part of the Union, go up steadily to overshadowing material, intellectual, moral power. But up to 1850 this mighty

growth had got no fit expression in State or national politics. All the great parties had mildly tried to remonstrate with the slave aristocracy, but quickly recoiled as from the mouth of a furnace. A few attempts had been made to organize a party for freedom, but nothing could gain foothold at Washington. A few noble men had lifted their voices against the rampant tyranny of the slaveholders; chief among these was John Quincy Adams, the John the Baptist crying in the desert of American partisan politics the coming of the kingdom of Heaven! But when the people had come up to a consciousness of their consolidated power, and the reverence for human right was changing and polarizing every Northern institution—in the fierce struggle that ushered in and succeeded the admission of California, between 1848 and 1856—this Northern superiority culminated in a great political movement against slavery. *This movement assumed a double form—positive, in the assertion that the Slave Power should be arrested; negative, in the assertion that the people should have their own way with it.* The Republican party said: *The slave aristocracy shall go no further.* The ‘Popular Sovereignty’ party, or Douglas Democracy, said: *The people shall do what they choose about this matter.* Now the people were already the superior power in the republic, and were rapidly growing to hate the Slave Power; so the slaveholders saw that the Northern Democracy, with their cry of *popular sovereignty*, might in time be just as dangerous to them as their more open enemies.

They repudiated both forms of Northern politics, and tied the executive, under James Buchanan, and the Supreme Court, under Judge Taney, to their dogma: *The right of the aristocracy is supreme. Slavery, not liberty, is the law of the republic.*

The great leaders of these Northern parties were Stephen A. Douglas and William H. Seward. Mr. Douglas was the best practical politician, popular debater, and magnetizer of the masses, the North has yet produced. *He was the representative of the blind power of the North*, and stood up all his life, in his better hours, for the right of the people to make the republic what they would. But the representative statesman of the era was the Secretary of State. The whole career of Mr. Seward is so interwoven with the history of the political consolidation of the people against the Slave Power, that the two must be studied together to be understood. Nowhere so clearly and eloquent as in the pages of this great philosophical statesman can be read the rapid growth of that political movement that in twelve years captured every Free State, placed a President in the chair, and then, with a splendid generosity, invited the whole loyal people to unite in a party of the Union, *knowing that henceforth the Union meant the people and liberty against the aristocracy and slavery.* And only in the light of this view can the course of this man and his great seeming opponent, but real associate, be fitly displayed. *Douglas had taught the people of the North*

that there will should be the law of the republic. Seward had told them that will should be in accordance with the 'higher law' of justice and freedom. Like men fighting in the dark, they supposed themselves each other's enemies, while they were only commanders of the front and rear of the army of the people. Both appeared on the national arena in the struggle of 1850, and soon strode to the first place. The Slave Power repudiated Seward and his 'higher law' of justice and liberty at once. They tolerated Douglas and his 'popular sovereignty' ten years longer, when they found it even a more dangerous heresy; and threw him over-board.

In the election of 1860 there were but two parties—the two wings of the people's army, under the patriots Lincoln and Douglas; the two wings of the slave host, under the traitors Breckinridge and Bell. Of course the people triumphed. Had Douglas been elected instead of Lincoln, the Slave Power would not have stayed in the Union one hour longer. *It was not Lincoln, but the political supremacy of the people, they resisted.* The Free States had at last consolidated, never to recede, and that was enough. Henceforth no party could live in the North that espoused the cause of the aristocracy. Whoever was Governor or President, Democrat, Republican, Union, what not, the people's party was henceforth supreme, and the aristocracy, with all its works of darkness, was second best.

The political victory of 1860 was virtually com-

plete. For the first time in eighty years the people concentrated against the Slave Power. The executive was gained, placing the army, navy, appointments, and patronage in the hands of the President, the people's representative by birth and choice. The North had a majority of eight in the Senate and sixty-five in the House of Representative, insuring the control of the foreign policy and the financial affairs of the republic: while the Supreme Court, the last bulwark of despotism, could be reconstructed in the interest of the Constitution. It is true the people did not appreciate the magnitude of the victory, or realize what it implied. They would probably have made no special use of it at once, and the aristocracy might have outwitted them again, as they had for three quarters of a century past. But the slaveholder knew that now was just the time to strike. If they waited till the people understood themselves better, and learned how to administer the Government for liberty, it would be too late. They still had possession of the executive, with all the departments, the Supreme Courts, army, navy, for four months. This was improved in inflicting as much damage on the Government as possible, and organizing a confederacy of revolted States. The people did not believe they would fight, and offered them various compromises, *everything except the thing they desired—unlimited power to control the republic*. The aristocracy knew that no compromises would do them good which proposed any-

thing less than a reconstruction of the Union which would insure their perpetual supremacy. They even doubted if this could be effectually accomplished in a peaceful way. The people must first be subdued by arms, their Union destroyed, and brought to the verge of anarchy by this mighty power, backed by the whole despotism of Europe; then might they be compelled to accept such terms as it choose to dictate. It waited no longer than was necessary to complete its preparations, and opened its guns in Charleston harbor. When the smoke of that cannonade drifted away, the people beheld with consternation the Slave Powers arrayed in arms, from Baltimore and St. Louis to New Orleans and the Rio Grande, advancing to seize their capital and overthrow the republic.

Having conquered the aristocracy by its industry, education, religion, and politics—driven it from every position on the great field of American society in an era of peace—the people slowly awoke to the conviction that they must now conquer it on the field of arms. They were slow to come to that conviction. Their ablest leaders were not war-statesmen, and did not comprehend at once the full meaning of the war. They called it a ‘conspiracy,’ a ‘rebellion,’ an ‘insurrection’ a ‘summer madness,’ anything but what it was—the *American slave aristocracy in arms to subdue the people of the United States, with every other aristocracy on earth wishing it success.* But the people did not refuse the

challenge. In April, 1861, they rushed to the capital, saved their Government from immediate capture or dispersion, and then began to prepare, after their way, for—they hardly knew what—to suppress a riot or wage a civil war.

In every such conflict as this the aristocracy has a great advantage, especially if it can choose its own time to begin the war. Never was an oligarchy more favored in its preparations than ours. Since 1820 it had contemplated and prepared for this very hour. It had almost unlimited control over fifteen States of the Union. Society was constructed in all these States on a military basis, the laboring class being held in place by the power of the sword. An aristocracy is always preceded by military ambition; for all subordinate orders of its people have acquired the habit of respect for rank and implicit obedience to superiors, so essential to success in war. When the war broke out, the Slave Power was ready. Its arms and ammunition and forts were stolen; its military organizations had been perfected in secret societies; its generals were selected—its president perhaps the best general of all; its military surveys were made, every Southern State mapped, and every strategical point marked; its subordinate officers, in which the real efficiency of an army consists, had been educated in military schools kept by such teachers as Hill and Stonewall Jackson. It had a full crop of cotton as a basis for finance. Its government was practi-

cally such a despotism as does not exist in the world. At the sound of the first gun in Charleston, the aristocracy sprang to arms; in a fortnight every strategical point in fifteen States was practically in its possession, and Washington tottering to its fall.

The people, as the people always are, were unprepared for war. Their entire energies had been concentrated for forty years in organizing the gigantic victory of peace which they had just achieved. When they woke up to the idea that there was yet another battle to be fought before the aristocracy would subside, they *began to learn the art of war*. And never did the people begin a great war so unprepared. The people of Europe have always had military traditions and cultivation to fall back upon in their civil wars. The North had no military traditions later than the Revolution, for no war since that day had really called forth their hearty efforts. Three generations of peace had destroyed even respect for war as an employment fit for civilized men. There were not ten thousand trained soldiers in all the nineteen States in April, 1861. There were not good arms to furnish fifty thousand troops in the possession of the National or loyal State Governments. Most of the ablest military men of the North had left the army, and were engaged in peaceful occupations. Halleck was in the law; McClellan, Burnside, Banks, on the railroad; Mitchel and Sigel teaching school boys; Hooker, Kearny, McCall, Dix, retired gentlemen; Fremont digging gold: Rosecrans manufacturing oil, and Grant

in a tanyard; and so on to the end of the chapter; while Scott, the patriot hero, who was but once defeated in fifty years' service, was passing over into the helplessness of old age. Of course such a people did not realize the value of military education, and fell into the natural delusion that a multitude of men carrying guns and wearing blue coats was an army; and any 'smart man' could make a colonel in three months. There was not even a corporal in the Cabinet, and Mr. Lincoln's military exploits were confined to one campaign, in the war of 1812, and one challenge to fight a duel. There were not ten Northern men in Congress who could take a company into action. In short, the North had the art of war to learn: even did not know it was necessary to learn to fight as to do anything else; especially to fight against an aristocracy that had been studying war for forty years.

For more than three years the people of the United States waged this gigantic war thus precipitated upon them by their aristocracy to arrest the irresistible growth of modern society in the republic. Every year was a period of great success, though the peaceful population, unacquainted with war, and often ignorant of the vast issues of the conflict, often inclined to despondency. Of course the aristocracy fought best, at first, as every aristocracy in the world has done. With half the number of disciplined troops, better commanded and manœuvred than the Union forces, and the great advantage of interior lines, supported by railroad com-

munication and possessing in Virginia, perhaps, the most defensible region in the Union, they held the Army of the Potomac at bay for two years; thrice overrun Maryland and the Pennsylvania border, and held their fortified capital, Richmond; while every step of national victorious progress in the Southwest was bitterly contested. Yet this war of martial forces was strangely like the long, varied war of material, moral, and political forces of which it was the logical sequel.

The Union navy won the earliest laurels in the war. The navy has been the right arm of the people in all ages. The Athenian navy repelled the invasion of Greece by the Persian empire. Antony, Pompey, Cæsar, the people's leaders in Rome, built up their youthful power upon the sea. The Dutch and English navies saved religious and civil liberty in the sixteenth century; and all the constitutional Governments that now exist in Europe came out of the hold of a British man-of-war. The United States, in 1812, extemporized a navy that gained the nation the freedom of the seas. And the navy led the way in the late war for the freedom of the continent. The aristocracy felt, intuitively, the danger of this arm of defence, and discouraged, scattered, and almost annihilated the naval power before they entered upon the war. The active navy, in April, 1861, consisted of one frigate, too large to sail over the bar of Charleston harbor, and one two-gun supply ship; and that in the three successive years it shot up into a

force of five hundred vessels ; that America's new iron-clads and guns revolutionized the art of naval warfare ; and established the most effective blockade ever known along two thousand miles of dangerous coast ; captured Port Royal and New Orleans, aided in the opening of the Mississippi and all its dependencies, penetrated to the cotton fields of Alabama, occupied the inland waters of North Carolina and Virginia, seized every important rebel port and navy yard save four, and destroyed every war ship of the enemy that ventured in range of its cannon.

But the army of the Union was not content to remain permanently behind the navy. It moved slow because it was the people's pioneer to level the mountains and fill up the valleys—to construct the highway for Emancipation from the Potomac to the Rio Grande—the war was entered into by the people and the nation—however slow the Chief Executive was to recognize it—for the dissolution of slave Society—on the other hand it was entered into with the distinct understanding that it was the last expedient to save the Negro slave oligarchy of the United States. From the moment Southern members of Congress began leaving their seats, the consolidated force of the free North began and grew aggressive, asserting man's right to liberty, and the duty of the nation to be the emancipation of the slave—when later in the struggle Congress and the Executive differed as to the demands of the people and the emergency—when the capitalists of the North

demanding the emancipation of the slaves—Congressmen fresh from the people talked of withholding supplies from the government. While the free laborers of the North then fighting in the swamps at the South demanded that the Negro should be free and fight for freedom, and when every pulpit at the North lent its aid to the people for emancipation; then Mr. Lincoln as Chief Commander of the Army and Navy issued his proclamation of emancipation. The London Inquirer (England) thus reviews the progress of Emancipation in its struggle with the Slave power, 1864, one year after the proclamation was issued; “There are three parties to the American war. There are the slave, the bondsmen of the South, whose flight was restrained by the Fugitive Bill, and whose wrongs have brought about the disruption; there are the Confederates, who, when Southern supremacy in the republic was menaced by the election of Abraham Lincoln, threw off their allegiance; and there are the Government and its supporters, who are striving to restore the integrity of the Union. These are the three parties; and as the war has gone on from year to year, the cause of the negro has brightened, and hundreds of thousands of the African race have passed out of slavery into freedom. They flock in multitudes within the Federal lines, and take their stand under the Constitution as free men. Abandoned by their former masters, or flying from their fetters, the chattels become citizens, and rejoice. No matter what

their misery, they keep their faces to the North, and bear up under their privations. Every advance of the national army liberates new throngs, and they rush eagerly to the camps where their brethren are cared for. The exodus, continually going on, increases in volume.

“Such are the colored freedmen, the innocent victims of the war, the slaves whom it has marvellously enfranchised ; such are the dusky clouds that flit o’er the continent of America and settle down on strange lands—the harbingers of a social revolution in the great republic of the West. More than fifty thousand are formed into camps in the Mississippi Valley, and not fewer in Middle and East Tennessee and North Alabama. It is a vast responsibility which is cast upon the Government and the people of the North, a sore and mighty burden ; and proportionate are the efforts which have been made to meet the trying emergency. The Government finds rations for the negro camps, provides free carriage for the contributions of the humane, appoints surgeons and superintendents, enlists in the army the men who are suitable, and as far as possible, gives employment to all. Clothing and other necessities are forwarded to the camps by the ton by benevolent hands, and books for the schools by tens of thousands. All along the banks of the Mississippi, from Cairo to New Orleans, and in Arkansas and Tennessee, the aged and infirm fugitives, the women and children, are collected into colored colonies, and tended and taught with a care that is worthy of a great and Christian people.

All that can work are more than willing to do so ; they labor gladly ; and among old and young there is an eager desire for education. Books are coveted as badges of freedom ; and the negro soldier carries them with him wherever he goes, and studies them wherever he can. It is a great work which is in progress across the Atlantic. Providence, in a manner which man foresaw not, is solving a dark problem of the past, and we may well look on with awe and wonder. There were thousands of minds which apprehended the downfall of the ‘peculiar institution.’ There were a prophetic few, who clearly perceived that it would be purged away by no milder scourge than that of war. But there were none who dreamed that the slaveholder would be the Samson to bring down the atrocious system of human slavery by madly taking arms in its defence ! Yet so it was ; and the Divine penalty is before us. The wrath of man has worked out the retributive justice of God. The crime which a country would not put away from it has ended in war, and slavery is a ruin.’

Thus will the Historian mark the progress of Emancipation through the red seething flames of civil war, to its consumation. Following the higher laws of progress, which are immutable, the Nation has arisen to the height of freedom—Whether that height has been reached through the aid of General Butler’s Contraband or President Lincoln’s Proclamation—or both—we must judge from the facts as they present themselves in the face of that Providence which rules over the affairs of Nations.

Since Emancipation.

SINCE EMANCIPATION.

Undoubtedly, January 1st, 1863, will be celebrated for all time, by Freedmen and their descendants in the United States, as their natal day of freedom. It is true that the Lincoln proclamation of that date was a mere paper manifesto, impotent in power, and requiring the future success of the Union arms to make it effective; and although the work of emancipation was not completed until December 18th, 1865, yet there was a moral effect produced by the proclamation that struck a deadly blow at the one vulnerable point of the slave Achilles. From that blow the fortunes of the Confederacy never rallied; it was "the beginning of the end," for before the moral force of the Emancipation Proclamation, the waves of disunion receded, bearing with them the wreck of a Confederacy whose corner-stone was slavery, and leaving stranded upon the shore, nearly four millions of homeless, helpless, ignorant and degraded human beings.

The after-disposal of this wreckage from the storm of civil war, was a question of serious moment. Could it be utilized? Did it contain any elements of material value to the Nation, or would it remain forever stranded where the waves of the Rebellion had cast it? Many who admitted the justice and expediency of e-

manicipation had their misgivings and doubts as to its results upon the emancipated race. Hence the question arose in many minds, "After Emancipation; what?"

The spectacle is without a parallel in the history of nations. By the mere scratch of the presidential pen, a helpless dependent people were in a day thrown upon their own resources, a nation of homeless paupers, without even the scanty interest felt by their former masters in their welfare, transformed into virulent hatred by the sudden change in their relative positions. It is not strange that many should regard emancipation as a cruel kindness to the Negro; that doubt should be expressed whether in the event of the withdrawal of a master's protection, the dependent habits taught the race by two centuries and a half of slavery might not prove too strong to prevent the freedmen from becoming the *lazzaroni* of America; crowding the highways and hedges, miserable supplicants upon the public charity, until from sheer inability to provide for their own wants, they would be swept into extinction by disease and famine. Some, with more vivid imaginations, remembering Santo Domingo, colored the gloomy tints of this sombre picture with the crimson flame of carnage and crime.

Happily for the nation as well as for the Negro, these *pessimists* who saw nothing but woe in the future of the freed people after their emancipation, are compelled to admit, now after the lapse of nineteen years, their mistake. Indeed no stronger testimony to the

record made by the freedmen can be given, than that which is extorted by less than a score of years trial, from the lips of a grandson of that apostle of slavery and secession, John C. Calhoun: "If my grandfather and his associates had known as much about the Negro as I know, and could have had the same faith in his capacity for progress, which I have attained from my own experience, there would have been neither slavery nor war."

Nineteen years is too short a time to sum up the results of emancipation in a complete form, but although the race is yet in the transition period, there are not wanting evidences of the continued progress and growth of the ex-slaves of the Union. When the odds against them are considered—their poverty, and helplessness, and the bitter prejudice that barred them out from the career possible to others of a different complexion, the progress made seems miraculous. But on the other hand, it must be remembered, that emancipation when it finally came, found the Negro better prepared for it than his friends or enemies imagined. For years freedom had been his inspiration kindled a tiny spark within his soul by secret religious teaching, the flame fed by his hopes and prayers, it had grown to be a settled belief in the Negro mind that the freedom of the race would come in the Lord's appointed time. This belief, deep hidden beneath the impenetrable mask of dusky countenance, and an outward appearance of contentment with their lot, explains in part the mighty

patience of the race. They were waiting. With the echo of the shot fired at Sumter, the Negro heard another voice that told him the end was near, and the hour so long looked for was at hand. But the mask was not dropped, nor the secret hope proclaimed to the world, for with the fatalistic creed of the race, the Negro would wait for freedom to come to him ; he would not seek it. So with his master at the front, he toiled patiently on the old plantation, true to his trust, until there came to his ear, the steady tramp of the steel-crowned, blue-clad legions, and before his eyes waved the starry glory of the Old Flag, and he knew that he was free.

Surely they were not stupid, unreasoning brutes who came from the slave quarter to the Union forces, the mask dropped at last, and the eyes gleaming with a new light, poor but grateful,—ignorant but resolute, saying “Feed our helpless little ones, while we aid you in the struggle.” Soon, stout, brawny arms wielded the spade in the entrenchments, faithful dusky guides marched in the van of the Union army, and later still, wearing the loyal blue, the black soldiers storm the heights of Port Hudson and Milliken’s Bend, crimsoning the sands of Wagner, and the swampy forests of Olustee with their blood, and dying with Spartan courage in that modern Thermopylæ “the Crater at Petersburg.

With the end of the war, the debt of gratitude paid, there is heard one universal appeal from the freedmen: “Give us the spelling book!” To this longing

of theirs for freedom of the mind as well as the body,—this desire to possess that “open sesame” to wealth and power, which had been held like the rich fruits of Tantalus, just beyond their reach in the days of slavery, may be attributed much of the marvellous growth of the Negro. With the aid of the spelling book and Bible he has attained a far higher position than he ever could have done with the “forty acres and a mule” that Wendell Phillips demanded as a freedom gift for him.

— Soon, all over the South was seen the strange spectacle of a race at school; eagerly drinking deep draughts from the once-forbidden well of knowledge. Living in humble cabins, toiling from sunrise to sunset, there was one great object that absorbed the energies of the race. It seems strange that prejudice looking for a type of this people should never look farther than the prison cells, almshouses, or streets and gutters where the refuse of the race may congregate, and refuse to accept as typical of the race the great majority, who, when the shackles of slavery fell from their limbs, grasped the handles of the plow, and marked a record of their industry upon the battle-scarred fields of the South; who contentedly wore their rags and patches that their little ones might receive the scanty educational facilities afforded them; sparing enough from their slender wages to pay the salaries of their ministers and teachers, and whose hard-earned mites are yet flowing in a continuous stream toward the building of

their churches and schoolhouses,—those monuments that sprung up like magic among these people, telling to the world of the heroic self-denial of an impoverished and suffering race.*

Along with the desire for an education came the wish for a home, and the same ambition that nerved them in the quest for education transferred slowly but surely the once homeless serfs from the plantations of their former masters to the kindly shelter of their own roof-trees, and to the prouder position of owners as well as tillers of the soil.‡

In treating of the condition of the freed people since emancipation, I shall refer but slightly to the successes and failures of their political career, as to allude to that even in a general way, would require much more space than I have assigned to this article. With the political problem of the South yet unsolved, there is a partial bias given to the subject of reconstruction by contemporaneous historians, and it will be a task only possible for a future chronicler of events to do justice to the political position occupied by the colored voters of the South during the first decade after eman-

*The 62d Regiment U. S. C. I. in 1866, began the establishing of a school in the State of Missouri, the Regiment contributed \$5,000 (five thousand) dollars for that purpose. The 65th Regiment U. S. C. I. gave \$1,379.50 for the same school; by other contributions \$10,000 was added to this sum and the Lincoln Institute was built at Jefferson City, Mo., for the education and training of Colored Teachers. The State donates to this Institute \$5,000. per annum.

‡ It is estimated that the Negroes in Georgia have accumulated since emancipation, \$5,000,000, in real estate; Virginia \$2,000,000; North Carolina and South Carolina, \$3,000,000.

ipation. Enough is known to prove their honesty of intention, their fidelity to the National Government, and their blind devotion to, and consequent sufferings for, men who used them as a stepping stone for their own ambitious purposes, and then deserted them in their hour of need. The crimes charged upon the Negro governments of the late rebel states, should be placed where they rightfully belong; upon the shoulders of the men who used them as tools and dupes. And more than all, in the history of the future, their mistakes and ignorance will not appear quite so conspicuous, when the legislation of the reconstruction period is compared with the legislation of their former masters. The evident justice and humanity of the one will appear in startling contrast by the side of the insane malignity and devilish cruelty of the Black code. Nor is there any indication of the elimination of the Negro element from the future political questions. If the race can stand the bull-dozing, ku-kluxing, the exodus and all the other untoward events of their early political career, without extinction, there is good ground for the belief that in the future they will possess their own.

SOCIALLY. Since emancipation the race has suffered all the evils of a people with an unformed social standing, but year by year there is a gradual improvement, and an advance toward better things in this particular. The virus implanted by slavery with its shameless licentiousness and lowering of the human to the brute level, yet lingers in the veins of the race, and it is too

much to expect of any people that the flood-tide of immorality that has swept over the race for nearly 250 years could at once be reversed, and a newer order of things be immediately instituted.

Slavery offered a premium for licentiousness, but had no punishment for immorality. Those who should have set them a better example, exerted every force of power and law to debauch them and sink them lower in a sea of shame. The glory of wifehood and motherhood was not theirs. No sacred tie ordained of God between man and woman, but what was with ruthless hand torn asunder and trampled under foot, and the deeper the shame, the more was it commended for its profit to the master. The only check to the wholesale degradation of the race came in those days from the few feeble, flickering gleams of gospel truth, that reached them from the lips of the preachers of their race. Yet this barrier, feeble as it was, served to keep the waves of sin and shame from overflowing many a soul and made a foundation on which to build a purer social fabric when emancipation prepared the way.

The condition of the homes and churches of the race bear testimony to the social progress made; but very few of the whites realize this social improvement, because they lack the moral courage to cross the social gulf, and learn the truth for themselves. They may be acquainted with the colored servants in their kitchens, the colored laborers in their fields or stores, but of the other class who have lifted themselves by education

and wealth above the sphere of dependence upon them, they know almost nothing.

Yet there is a class, and one that widens year by year, as education and industry lifts them up, who can combine intelligence, refinement, wealth and even luxury in their home circles, and herein lies a great hope for the race. With a well-defined social circle and its corresponding power and influence, there will always be an incentive to the young to elevate themselves to that stand-point, from which position alone can they lend a helping hand to the fortunes of their race.*

FINANCIALLY. Against the oft repeated allegations as to the Negro's lack of energy, indolence, and general incapacity to provide for the wants of himself and family, may be set the fact that the emancipated race from the start convinced the friends and enemies of their intention and ability to take care of themselves. The newer South must own her obligation for the advanced position occupied to-day, not only to the influx of

* The social progress of the Negro is marked by his advance and conception of moral responsibility and duties. No church will tolerate him with two or more wives, nor permit him, as a member, to live clandestinely with a woman as before Emancipation. The mother of an illegitimate child is now the outcast of *elite* society, and not the *belle* as in slavery times.

In compliance with the spirit of the Negro population of Virginia, Hon. Littleton Owens, member of the General Assembly of Virginia, from Princess Anne County, introduced the following in the Virginia Assembly :

" A BILL to suppress Miscegenation in the state of Virginia,

1. Be it enacted by the General Assembly of Virginia, That any white person who shall commit adultery or fornication with a negro, or any negro who shall commit adultery or fornication with a white person, shall be fined not less than one hundred dollars, and confined in the county or corporation jail not less than six months.

Northern capital, but to the brawny arms from which the shackles of slavery so recently dropped. Counting all the aid received from public and private charities, it will be lost from sight in comparison with the great needs of nearly four millions of destitute, homeless fellow-creatures. Yet they were fed, clothed, housed, educated in part, maintained in great part their own ministers and teachers, builded churches and school houses, and year by year added to the taxable basis of property in the South; and this happy result is due to the industry and economy of the race.†

As the Negro must for certain reasons have a monopoly of the labor of the South, there is but one thing that will prevent him in the future from using the potent power of wealth as a factor in his elevation. One of the accursed legacies of slavery was the mutual distrust of each other that yet exists. Working hard

2. Any person who shall lewdly and lasciviously associate and cohabit, or be guilty of open and gross lewdness and lasciviousness, with a white person, or any white person who shall lewdly and lasciviously associate and cohabit, or be guilty of open and gross lewdness and lasciviousness, with a negro, shall be confined in the penitentiary not less than two nor more than five years, or, at the discretion of the jury, be fined not less than two hundred dollars, and confined in the county or corporation jail not less than twelve months.

3. This act shall be in force from its passage."

Though this act failed to pass, it gave a coloring to the legislation of the assembly, and evoked universal criticism from the Press of the state in its favor.

Prejudice is fast disappearing; marriages between whites and blacks are tolerated in nearly all the Middle, Eastern and Western States, the word white having been stricken from their constitutions. In all, except perhaps one or two of the Southern States, rail-road, steamboat and hotel accommodations are open alike to all.

†The principal products of Negro labor for 1879, were: cotton, 2,363,540,905 lbs. tobacco, 391,278,350 lbs., sugar, 10,386,880,000 lbs. Bales of cotton, 1335, 5,767,337.

enough as individuals, they have yet to learn the necessity of cooperation; for it is only by combining their mutual resources, and working for the elevation of the many rather than the few, that they can render their success in life certain, and their oppression impossible.*

INTELLECTUALLY, the advance made is perhaps more marked than any other. It was noticed from the first, and the aptness shown by the freed people for intellectual acquirements was contemptuously ascribed by their enemies to a monkey-like power of imitation, but as year after year shows a constant advance, despite the curse of poverty and prejudice, it is not saying too much to attribute it to the intuitive quickness of intellect. Greater incentives are held out also to the students of this race than any other. The embryo colored lawyer, doctor, minister or teacher on graduating from college does not, like the white graduate, find himself in a profession already overcrowded, and realize that his future success in life depends upon that unwritten but forcible law "the survival of the fittest." On the contrary, the supply will not, for years to come, equal the demand for colored men in the arts, sciences and professions, and herein lies a great hope for the race in the future.†

* \$17,000 was paid by the Freedmen for the Emancipation Monument.

From 1865 to 1874 the Freedmen deposited in the Freedmen's Savings and Trust Company Banks, several millions of dollars, and this the first ten years after Emancipation. This Institution collapsed in 1874, with Hon. Fred Douglas as its Prest.

†The educational advancement of this people is so prodigious and wide-spread that no single fact will serve to illustrate it; from the highest institutions of learning in the land, young men and women are graduating continually, with high hon-

The RELIGIOUS improvement of the colored people has made itself more apparent in church enterprizes, than in worship or belief. As a people, they have deep religious instincts, and strong attachment to evangelical truth. Scepticism is almost unknown among a peo-

ors. In nearly all the Northern States, including New York, prejudice has so subsided, that all distinction in schools on account of color is done away with, all classes, nationality and color attend the same schools.

At the South, the Negro has just begun to demand mixed schools; the question is destined to occupy no unimportant place in the politics of this section in the near future.

At the Press Convention held at Washington, D. C., June, 1882, at which, representatives from twenty-five Newspapers published by Negroes, were present, the question of mixed schools, "shall we advocate them?" was discussed. Mr. George S. Richardson read a paper demanding they should, and said:

"The first question which suggests itself is, have we the right to claim the benefits of mixed schools? I have no hesitancy in saying that the parent has the right to send his child to any school in the district in which he resides, and that the qualifications of the child are sufficient to guarantee such rights. Such right, I contend, accrues to him on the basis of that relation he bears to the community at large, as an equal factor in the body politic, amenable to its laws and entitled to a share in its benefits. And it is fair to state that *all* forms of prescription exercised by one portion of a community against another are repugnant to the true ends of organization and consequently dangerous. Dangerous not because they merely stamp the *present* generation, still groaning under the weight of social and civil ostracism—the outgrowth of a condition of slavery—but because they have a tendency to *perpetuate* the foolish distinctions which will fall like a blight on our children and on our children's children. On the question of the rights of the colored man, the Constitution of the United States is perfectly clear. A portion of the 14th Amendment reads: "No State shall make or enforce any laws which shall abridge the privileges or immunities of citizens of the United States." Hence, it follows that, if a corporation or a state institutes a system which enforces unjust discriminations against certain classes of American citizens, then such system is an abridgement of the rights and immunities of the above class and therefore unconstitutional. Jefferson advocated the theory that the enslavement of the Negro was in violation of the laws of nature; that it was *wrong in principle* morally, socially and politically. If this be so, then any system which perpetuates the prejudices which had their root in a condition of slavery, is equally wrong in principle morally, socially and politically."

ple whose faith in God never wavered in that long night-trial of bondage, and as in slavery their religious belief was the one thing to which their strong emotional natures could cling, so in the life of the free man of to-day, religion finds a prominent place.

The religious growth would seem marvellous to one unacquainted with the fact that the foundation for it was laid amid the trials of slavery, and this is a harvest from seed sown with tears, in days gone by.

Gradually, ignorance is being supplanted by intelligence in the pulpit, and as a result of more enlightened teachings, the absurd extravagancies which characterize so much of the so called worship among the colored people, will be replaced by a more rational form of devotion. Greater results will be realized also, when religion among them takes a more practical form, and bears more substantial fruit than mere emotional feeling.*

GROWTH IN POPULATION.—Since 1860 the status of the Negro, respecting population in the South particularly, has been argumentatively discussed through the

* The estimated number of church members are as follows: African M. E. Church, 391,044; Methodist E. Zion Church, 200,000; Colored M. E. Church, 120,200; Methodist Episcopal Church, 310,000; Baptist Church, 517,000: Total 1,538,244.

The African Methodist E. Church owned in 1836 \$43,000, in church property at the North. Since Emancipation and the establishing of churches at the South, its accumulations have been wonderful. In 1881 the total amount of property owned by this denomination was, according to their Budget, \$3,073,254.20.

The Baptists are the most numerous, but not having a general organization—I have tried, but in vain, to ascertain their worth.

leading journals and periodicals of this and other countries. More or less, our own people discussed the subject from a partisan and political stand-point, and held that on account of the sudden change from slavery to freedom, causing a radical change in the mode of living, work and relationship to those who heretofore bore to him the relation of master that the Negro was "fast dying out." This conclusion of these writers was substantiated by their reasoning, not only by the reports of the local boards and sanitary committees of the Gulf States, but by the reports of the National board of health also, and it is strange but true, that among those who argued thus, were men fully acquainted with and learned in the laws and science of population. The census of 1870 did not show a natural increase of the Negro in these states, as a more careful and diligent inquiry doubtless would have shown, yet there was nothing disparaging in the claims though the increase of the white population was reported greater than that of the Negro, and affirmed the doctrine that though slavery degraded the Negro, liberty would destroy him. There were those who held,—yet admitting the census reports to be true, attributing the lack of a plenary increase to the disturbed state of society during the decade from 1860 to 1870—that the Negro was holding his own, and that the recoil was in keeping with the great laws of increase—preparatory—and that in a state of freedom, population increased more rapidly than in slavery, in wedlock than in Polygamy.

They held further, that the census of 1870 was defective, which the returns of 1880 show conclusively. In 1860, there were 4,441,830 Negroes in the United States; in 1870 the returns gave 4,880,000, an increase of 439,000, but in the returns of 1880 for the ten years preceding, there were given 6,577,151, thus showing an increase of 1,697,151, and over that of 1870 of 1,258,151, by this, when compared, will show a greater multiplication of population in ten years than in any two decades previous to the war.

The number of Negroes in each State is thus given by the census returns of 1880.

Alabama, 600,103; Arkansas, 210,666; California, 6,018; Colorado, 2,435; Connecticut, 11,547; Delaware, 26,442; Florida, 126,690; Georgia, 725,133; Illinois, 46,368; Indiana, 39,228; Iowa, 9,516; Kansas, 43,107; Kentucky, 271,451; Louisiana, 483,655; Maine, 1,451; Maryland, 210,230; Massachusetts, 18,697; Michigan, 15,100; Minnesota, 1,564; Mississippi, 650,291; Missouri, 145,350; Nebraska, 2,385; Nevada, 488; New Hampshire, 685; New Jersey, 38,853; New York, 65,104; North Carolina, 531,277; Ohio, 79,900; Oregon, 487; Pennsylvania, 85,535; Rhode Island, 6,488; South Carolina, 604,332; Tennessee, 403,151; Texas, 393,384; Vermont, 1,057; Virginia, 631,616; West Virginia, 25,886; Wisconsin, 2,702. Total, States, 6,518,372.

TERRITORIES.—Arizona, 155; Dakota, 401; District of Columbia, 59,596; Idaho, 53; Montana, 346;

New Mexico, 1,015; Utah, 232; Washington, 325; Wyoming, 298. Total, Territories, 62,421. Total, United States, 6,580,793.

The total number of Negroes in these States and Territories, as reported by the census of 1870, was 4,886,387; and in 1880, 6,580,793. The increase in the former slave-states from 1870 to 1880, is shown by the following census returns:—

States.	1870.	1880.	Net increase in ten years.
Alabama.....	475,510.....	600,141.....	142,631
Arkansas.....	122,169.....	210,622.....	88,453
Delaware.....	22,794.....	26,456.....	3,662
Florida.....	91,689.....	125,262.....	33,573
Georgia.....	545,142.....	724,654.....	179,512
Kentucky.....	222,210.....	271,462.....	49,252
Louisiana.....	364,210.....	483,898.....	119,688
Maryland.....	175,391.....	209,896.....	34,505
Mississippi.....	444,201.....	652,221.....	208,020
Missouri.....	118,071.....	145,046.....	26,975
North Carolina.....	391,650.....	351,316.....	139,666
South Carolina.....	415,814.....	604,325.....	188,511
Tennessee.....	322,331.....	402,994.....	80,660
Texas.....	253,475.....	393,384.....	39,909
Virginia.....	512,841.....	631,756.....	118,915
West Virginia.....	17,980.....	25,729.....	7,749

The total number of Negroes in these States, was 4,495,478 in 1870, and 5,643,891 in 1880. This shows during these ten years the enormous increase of 1,541,797, or nearly 33 per cent. During the preceding decade the colored population of this group of States increased only 223,614, or about 5½ per cent. The total was 4,018,389 in 1860, and 4,242,003 in 1870.

The increase and decrease of the Negro population by States, 1880.

Increase.

South Carolina.....	10,909	Arizona.....	121
Mississippi.....	9,936	Colorado.....	121
Louisiana.....	5,735	West Virginia... .	115
Georgia.....	3,678	Iowa.....	100
North Carolina	3,527	New York.....	92
Arkansas.....	1,863	Massachusetts.....	78
District of Columbia.	1,053	Rhode Island.....	62
Tennessee.....	944	New Jersey.....	51
Connecticut	688	Vermont.....	32
Indiana.....	528	Minnesota.....	28
New Mexico.....	409	Utah.....	6
Illinois.....	380	Wisconsin..	7
Pennsylvania.....	144	New Hampshire.....	4
Ohio.	126		

Decrease.

Texas.....	11,985	Delaware.....	294
Florida.....	6,993	Missouri.....	197
Alabama..	574	Montana.....	187
Wyoming.....	559	California	147
Kentucky.....	514	Nebraska.....	118
Dakota.....	443	Oregon.....	100
Kansas.	412	Michigan.....	87
Washington.....	403	Nevada.....	48
Idaho.....	365	Maine.....	38
Virginia	309	Maryland.....	3

As a whole, there has been a gain of 625 on an assumed basis of 100,000 whites, as above.

The Negro population of the United States at each decade, since 1790.

1790.....	757,363
1800.....	1,001,463
1810.....	1,377,810
1820.....	1,771,562
1830.....	2,328,642

1840.....	2,873,758
1850.....	3,638,762
1860.....	4,435,709
1870.....	4,886,387
1880.....	6,580,793

In conclusion, the advocates of emancipation and friends of the freed people need not be discouraged because nineteen years of trial have not entirely wiped away all traces of two centuries and a half of slavery's debasement. To expect that in this short period the oppressed and degraded race would be able in all things to measure up to the standard of the most enlightened people on earth, is to expect an impossibility. Yet, comparing them with other races, the verdict of the future will be that no nation ever came from so low a level and rose to so great a height in so short a time. The nineteen years' history of the ex-slaves of the United States since '63, is their vindication against the prejudice and hatred that belied, slandered and oppressed them.

In the search for materials to build into the citizen framework of the Republic, there is here a large and increasing quantity of material that needs no such violent change of ideas and customs, nor purging out of socialistic or monarchial notions as do the emigrants sent to our shores from the Old World. Neither aliens in religion nor social customs, there is no danger to be feared from them to our peculiar form of government, but in the 6,000,000 of our colored population there is a Samson's strength that may be relied upon for the defense of, but will never be exerted in the pulling down of the educational and religious pillars that support our republican form of government.

EMANCIPATION MONUMENT.

CEREMONIES

*Attending the Inauguration of the Freedmen's Memorial Monument to Abraham Lincoln, at Lincoln Park,
Washington City, April 14th, 1876.*

The eleventh anniversary of the death of Abraham Lincoln was made a most fitting occasion for the ceremonies attending the unveiling of the Lincoln statue, at the National Capitol in Lincoln Park. It had originally been intended by the committee having the matter in charge to unveil the statue—which is designed to commemorate the great act of Lincoln's life, the liberation of the slave in the South—upon the anniversary of the day upon which the memorable proclamation was issued, but as that day came on Sunday it was concluded to have the ceremony performed on the anniversary of another event in the history of liberty—sadder but not less memorable. The arrangements for the exercises were complete, and the exercises which had been previously arranged were carried out, without interruption or the slightest unpleasantness. It was evident at an early hour that preparations were

being made for some unusual ceremony. The day having been declared a public holiday by Congress, every one was free to participate in the exercises or to witness the spectacle of *a grateful race doing homage to a cherished name.*

Long before the procession appeared upon the streets, the sidewalks were lined with people, and the windows were crowded with spectators. The flags upon the Senate and House of Representatives, the public buildings, and many private buildings, were suspended at half-mast.

Nearly all of the colored organizations in the city took part in the parade, and the vicinity of Seventh and K streets, which was selected as the rendezvous, presented a very animated scene during the formation of the line. After all had been assigned to their places, about noon, the command to march was given, and the procession moved. The column was preceded by a detachment of mounted police, under the command of Sergeant Redway, and moved in the following order:

Charles H. Marshall, chief marshal; Aaron Russell, right aid; Robert Hatton, left aid; John W. Freeman, chief of staff; Edward Allen, Samuel Martin, Isaac Davenport, Thos. H. Smith, B. Freeman, Jas. F. Jackson, Thos. W. Chase, Edward Brockenburgh, Robert Ward, Perry H. Carson, Henry C. Bolden, William H. Edinburgh, Dr. Tucker, Henson Davis, W. A. Lav-

alette, Isaac Shiner, James H. Hill, James A. Green, William H. Simpson, St. Clair Burley, John D. Wallace, Edward Morris and Lloyd Brooks, staff officers.

First battalion colored troops, commanded by Major C. B. Ficher (headed by the Philharmonic band, of Georgetown, Prof. King, leader); Company A, Captain Poland; Company B, Captain Marshall, and Company C, Captain Graham.

Next followed the Knights templar, making an attractive appearance. Rising Sun Commandery, K. T., of Baltimore, headed by the Monumental band, A. Moseley, E. commander; J. S. Brown, generalissimo; E. E. Auguster, captain general. Excelsior cornet band, of Baltimore. St. John's Commandery, No. 2, of the same city, S. W. Chase, E. commander; E. Carty, generalissimo; H. Wadde, captain general. Emanuel Commandery, No. 3, K. T., also of Baltimore, I. M. Waddey, commander.

The Knights of St. Augustine came next. There are two organizations. Knights of St. Augustine (original), No. 1, S. Burns, captain general; B. H. Waters, marshal; James Gant and A. Fletcher, aids, headed by the Beethoven band.

Knights of St. Augustine, No. 2., W. W. Smith, commander; John Eglin, captain general; John Mitchell, deputy, headed by the National band. They had in line a fine banner; on the front a painting of the saint.

Carriages containing Prof. Langston, Hon. F. Douglass, Mr. W. E. Matthews and others.

Next came the South Washington band and Sons of Purity, Sons of Levi, Good Samaritans, Young Men's (Island) Benevolent Association, Sons of Zion, Sons of St. John, Labor League, carrying a large United States flag; Pioneer Corps, of Alexandria, uniformed in black pants and blue shirts, and headed by a drum corps.

The route was along K street to Seventeenth, to Pennsylvania avenue through the grounds of the Executive Mansion; along Pennsylvania avenue to First street west, to C street north, to First street east, to East Capitol street, to the park.

During the march of the procession Prof. Widdows, of the Metropolitan M. E. Church chimes, played on the bells national airs of different countries, "Funeral Changes," in E minor; "Funeral March," in A minor; Scotch melody, "A Man's a Man for a' That," "Hold the Fort," "Mary Blaine," "Uncle Ned," &c.

Long before the procession reached the park the people began to gather there, having come by a more direct route than the column. The Statue was draped and entirely concealed in flags, and considerable curiosity to see the forms under the bunting was manifested. In front of the statue a large stand had been erected for the reception of the speakers and the guests invited by the committee.

After the procession arrived upon the grounds the stand was soon filled with guests. Immediately be-

hind the speaker's stand were seated President Grant, Senator Ferry, the members of the Cabinet and the Justices of the Supreme Court, Senators Morton, Boutwell, Spencer, Sherman, Bruce and others of the Senate; Assistant Secretary of the Treasury Conant, Hon. S. S. Cox, N. P. Banks and other members of the house; the Japanese Minister, Seargent-at-Arms French, Dr. C. C. Cox, Hon. W. B. Snell, Dr. J. B. Blake, the distinguished gentlemen who were to take part in the exercises, and many other distinguished personages.

The Marine band, stationed at the right of the stand, opened the exercises by playing "Hail Columbia."

Professor John M. Langston, Chairman of the National Committee of arrangements, presided.

Bishop John M. Brown, of the African M. E. Church, offered a devout prayer, during the utterance of which a solemn and reverent silence was maintained throughout the vast throng.

Hon. J. Henri Burch, of Louisiana, read the proclamation of emancipation, which was received with as much enthusiasm as if it had just been issued, and at the conclusion the Marseillaise hymn was played.

Prof. Langston then introduced Mr. James E. Yeatman, president of the Western Sanitary Commission.

Mr. Yeatman said: The Rev. Wm. G. Eliot of St. Louis, to whom had been assigned the presentation of the monument for the acceptance and approval of those who had contributed the funds for its erection, and to

give a short historical account of the same, has been prevented from doing so, and it has only been within the last few hours that I received notice that he could not be present, and that I was requested to take his place, which I am but poorly qualified to do. Asking your kind and considerate indulgence, I shall proceed to do so, as the representative and president of the Western Sanitary Commission, to whom was intrusted the contributions of freedmen, and the expenditure of the same for the erection of the freedmen's memorial at the National Capital.

It is perhaps proper that I should tell you how it was that a sanitary commission came to be entrusted with this work. This commission, composed of Rev. Wm. G. Eliot, George Partridge, Carlos S. Greeley, Dr. J. B. Johnson and James E. Yeatman, well known Union citizens of St. Louis, were appointed by General John C. Fremont, and afterwards ratified by Secretary Stanton. Their duties principally were to look after the sick, fit up and furnish hospitals, provide competent nurses, &c. But as the war progressed their duties were greatly enlarged. The care of families and orphans of soldiers, Union refugees, the freedmen; in short, all the humanities growing out of the war came under their charge. For these purposes large sums of money, clothing, &c., were contributed and sent to them, and I can say honestly and judiciously expended. Their total receipts amounted to over four and a quarter millions. the whole of which was the spontaneous gift of indi-

viduals in all parts of the country, from San Francisco to Maine, and without the aid of a single organized auxiliary association.

And finally, after the war was closed; after the lamented, honored and loved Lincoln had been so foully assassinated in this city, five dollars was sent to us—the contribution of Charlotte Scott, a poor slave woman, who, on hearing of the assassination of President Lincoln, went in great distress to her mistress—that had been, for she was then free—and said to her: “The colored people have lost their best friend on earth! Mr. Lincoln was our best friend, and I will give five dollars of my wages towards erecting a monument to his memory.” This money; this five dollars; this grain of mustard seed, contributed by Charlotte Scott in gratitude to her deliverer, was sent to us by her former master, Mr. Wm. P. Rucker, through the hands of General T. C. H. Smith, then in command of the military post of St. Louis, having received it from Mr. Rucker, who was a Union refugee, from Virginia, having sought safety for himself and family in Marietta, Ohio, taking along with him Charlote Scott, and perhaps others belonging to him. It was this five dollars that was the foundation of this beautiful and appropriate memorial which we now see before us. General Smith addressed a letter to me, conveying it, which was as follows :

St. Louis, April, 26, 1864.

James E. Yeatman, Esq.:

MY DEAR SIR: A poor negro woman, of Marietta,

Ohio, one of those made free by President Lincoln's proclamation, proposes that a monument to their dead friend be erected by the colored people of the United States. She has handed to a person in Marietta five dollars as her contribution for the purpose. Such a monument would have a history more grand and touching than any of which we have account. Would it not be well to take up this suggestion and make it known to the freedmen?

Yours truly, T. C. H. SMITH.

In compliance with General Smith's suggestion I published his letter, with a card, stating that any desiring to contribute to a fund for such a purpose, that the Western Sanitary Commission would receive the same and see that it was judiciously appropriated as intended. In response to his communication, liberal contributions were received from colored soldiers under the command of General J. W. Davidson, headquarters at Natchez, Miss., amounting in all to \$12,150. This was subsequently increased from other sources to \$16,242.

“MARIETTA, OHIO, *June 29th, 1865.*

“MR. JAMES E. YEATMAN,

President Western Sanitary Commission, St. Louis:

“MY DEAR SIR: I have learned, with the greatest satisfaction, through Brigadier General T. C. H. SMITH, and the public press, that you are devoting your noble energies in giving tone and direction to the collection and appropriation of a fund for

the erection of the Freedmen's National Monument, in honor and memory of the benefactor and savior of their race.

"The General also informs me that you desire, and have requested through him that the five dollars deposited with the Rev. C. H. BATTELLE, of this city, by CHARLOTTE SCOTT, should be used as the *original and foundation subscription* for this most praiseworthy purpose; and Mr. BATTELE assures me that he will most cheerfully remit it to you this day. As a slaveholder by inheritance, and up to a period after the outbreak of the rebellion, and as an ardent admirer of our lamented President, the author of universal emancipation in America, I feel an enthusiastic interest in the success of the Freedmen's National Monument. I hope it may stand unequalled and unrivalled in grandeur and magnificence. It should be built *essentially* by *freedmen*, and should be *emphatically national*. Every dollar should come from the former slaves; every State should furnish a stone, and the monument should be erected at the capital of the nation. Nothing could be better calculated to stimulate this down-trodden and abused race to renewed efforts for a moral and national status.

"CHARLOTTE SCOTT, whose photograph General SMITH will forward, was born a slave in Campbell county, Virginia. She is about sixty years old, but is very hale and active. Her reputation for industry, intelligence, and moral integrity has always been appreciated by her friends and acquaintances, both white and colored. She was given, with other slaves, to my wife, by her father, THOMAS H. SCOTT. When we received the news of Mr. LINCOLN'S assassination, the morning after its occurrence, she was deeply distressed. In a conversation with Mrs. RUCKER, she said: "*The colored people have lost their best friend on earth; Mr. LINCOLN was our best friend, and I will give five dollars of my wages towards erecting a monument to his memory.*" She asked me who would be the best person to raise

money for the purpose ; I suggested Mr. BATTELLE, and she gave him the five dollars.

"I am, my dear sir,

"Truly and respectfully,

" WM. P. RUCKER."

MARIETTA, OHIO, *June 29, 1865.*

"Mr. J E. YEATMAN,

"DEAR SIR: I was providentially called upon by CHARLOTTE SCOTT, formerly a slave of Dr. W. P. RUCKER, now living in this place, to receive the enclosed \$5, as the commencement of a fund to be applied to rearing a monument to the memory of Hon. ABRAHAM LINCOLN.

"I received her offering, and gave notice through the press that I would receive other donations, and cheerfully do what I could to promote so noble an object. Other persons have signified their willingness to give when the measure is fully inaugurated.

"By the advice of General T. C. H. SMITH I herewith forward you her contribution, and I hope to hear from you upon its receipt, that I may show to Charlotte and others that the money has gone in the right direction. After hearing from you, I hope to be able to stir up the other colored folks on this subject.

"I rejoice, dear sir, that I have some connection with this honorable movement in its incipiency, I shall not fail to watch its progress with thrilling interest, and hope to live until the top-stone shall be laid, amid the jubilant rejoicing of emancipated millions crying, 'Grace, grace unto it.'

"Very respectfully yours,

"C. D. BATTELLE."

The publication of the note of Mr. YEATMAN, and the first communication received concerning the colored woman's proposed offering, brought the following letters and contributions,

showing how generously the proposition of CHARLOTTE SCOTT was responded to by the colored troops stationed at Natchez, Miss. These contributions have been duly deposited, for safe keeping, towards the Freedmen's National Monument to Mr. LINCOLN.

HEADQUARTERS, 6TH U. S. COLORED HEAVY ARTILLERY,
FORT MCPHERSON, NATCHEZ, *May 19, 1865.*

"JAMES E. YEATMAN,

"President Western Sanitary Commission, St. Louis,

"DEAR SIR: I hereby transmit to you, to be appropriated to the monument to be erected to the late President LINCOLN, the sum of four thousand two hundred and forty-two dollars, the gift from the soldiers and freedmen of this regiment. Allow me to say that I feel proud of my regiment for their liberal contribution in honor of our lamented chief. Please acknowledge receipt.

"Very respectfully,

"Your obedient servant,

"JOHN P. COLEMAN

"Lieutenant Colonel, commanding 6th U. S. Colored Heavy Artillery.

"Amounts, as donated by their respective companies: Co. A, \$515; Co. B, \$594; Co. C, \$14; Co. D, \$464; Co. E, \$199; Co. F, \$409; Co. G, \$284; Co. H, \$202; Co. I, \$423; Co. K, \$231; Co. L, \$142; Co. M, \$354. Total, \$4,242."

HEADQUARTERS, 70TH U. S. COLORED INFANTRY,
RODNEY, MISS., *May 30, 1865.*

"Brevet Major General J. W. DAVIDSON,

"Commanding District of Natchez, Miss.,

"GENERAL: I have the honor to enclose the sum of two thousand nine hundred and forty-nine dollars and fifty cents [\$2,949.50], as the amount collected, under your suggestion, for

the purpose of erecting a monument to the memory of President LINCOLN. Every dollar of this money has been subscribed by the black enlisted men of my regiment, which has only an aggregate of six hundred and eighty three [683] men. Much more might have been raised, but I cautioned the officers to check the noble generosity of my men, rather than stimulate it. Allow me to add that the soldiers expect that the monument is to be built by black people's money exclusively. They feel deeply that the debt of gratitude they owe is large, and anything they can do to keep his 'memory green,' will be done cheerfully and promptly.

If there is a monument built proportionate to the veneration with which the black people hold his memory, then its summit will be among the clouds—the first to catch the gleam and herald the approach of coming day, even as President LINCOLN himself first proclaimed the first gleam, as well as glorious light, of universal freedom.

"I am, General, most respectfully,

"Your obedient servant,

"W. C. EARLES,

"Colonel 70th U. S. C. Infantry,

"DISTRICT OF NATCHEZ, May 21, 1865."

"Hon. JAMES E. YEATMAN :

"Upon seeing your suggestions in the *Democrat*, I wrote to my Colonels of colored troops, and they are responding most nobly to the call. FARRAR'S regiment [6th U. S. Heavy Artillery], sent some \$4,700. The money here spoken of has been turned over to Major W. C. LUPTON, Paymaster U. S. A., for you. Please acknowledge receipt through the *Missouri Democrat*. The idea is, that the monument shall be raised to Mr. Lincoln's memory at the national capital, exclusively by the race he has set free.

Very truly yours,

J. W. DAVIDSON,

"Brevet Major General."

"HEAD PAY DEPARTMENT, NATCHEZ, MISS., *June 15, 1865.*

"JAMES E. YEATMAN ESQ.,

"President Western Sanitary Commission, St. Louis.

"SIR: The colored soldiers of this district, Brevet Major General DAVIDSON commanding, feeling the great obligations they are under to our late President, Mr. LINCOLN, and desiring to perpetuate his memory, have contributed to the erection of a monument at the national capital, as follows:

70th U. S. C. Infantry, Colonel W. C. EARLE.....	\$2,949.50
Three Companies 63d U. S. C. Infantry,—A, C, and E,	
Lieutenant Colonel MITCHELL.....	263.00
Freedmen of Natchez.....	312.38

Total... ..\$3,529.85

"Added to this, Major JOHN P. COLEMAN, of the 6th U. S. C. Heavy Artillery, stationed here, has sent you nearly five thousand dollars for the same fund, and the 57th U. S. C. Infantry desire me, at the next pay day, to collect one dollar per man, which will swell the amount to nearly ten thousand dollars. This is a large contribution from not quite seventeen hundred men, and it could have been made larger—many of the men donating over half their pay, and in some instances the whole of it—but it was thought best to limit them.

"Will you please publish this, that the colored soldiers, and their friends, may know that their money has gone forward, and send me a copy of the paper.

"I am, sir, with regard,

"W. C. LUPTON,

Paymaster U. S. A.

These noble contributions are a striking evidence of the favor with which this movement is regarded by the colored people, and especially the brave soldiers of
(K)

this oppressed race who have been fighting to carry out the proclamation of their benefactor, securing them their liberty.

There are those, perhaps, who may think that some other form of testimonial, such as the endowment of some great charity, would be better; but the colored people of the United States, and especially the liberated bondmen, wish something tangible and visible to the eye of present and future generations, that will testify of their love and gratitude to their great deliverer. Towards any enterprise, such as the founding of schools and colleges for the education of the colored people, the whole country would expect to contribute; but it is peculiarly fitting that from this race alone, a monument should ascend, at the capital of the nation, showing forth, to the whole world of mankind, the appreciation of an emancipated race for their greatest earthly benefactor.

From the liberal contributions made in the first instance, we were led to believe that a very much larger sum would have been donated. But, as our determination was to have a free-will offering without solicitation we determined to rest with what was voluntarily contributed. This prevented the execution of a design made and submitted by Harriet Hosmer, one of America's most renowned sculptors. The design was one of great beauty and merit, and could it have been executed, it would have been one of the grandest and most beautiful

monumental works of art ever erected in this or any other country. I mention this now as the design and its adoption by the commission was generally known, and some explanation for its non-execution may be deemed necessary. It was published in the *London Art Journal* and other journals in this and other countries. I trust yet that the gratitude of the freed people will prompt them to execute this grand design. I now proceed to give you the history of the Lincoln monument as adopted and executed.

One of the members of the Western Sanitary Commission, Rev. Wm. G. Eliot, being in Florence in the autumn of 1869, when visiting the studio of Mr. Thomas Ball saw the group subsequently adopted, and was so much pleased with it that he spoke strongly in its praise after returning to St. Louis. He had learned from Mr. Ball that the work was conceived and executed under the first influence of the news of Mr. Lincoln's assassination. No order for such a group had been received, but Mr. Ball felt sure that the time would come when there would be a demand for it, and at any rate, he felt an inward demand to produce it. His aim was to present one single idea, representing the great work for the accomplishment of which Abraham Lincoln lived and died; and all accessory ideas are carefully excluded. Mr. Ball also determined not to part with it, except under such circumstances as to insure its just appreciation, not merely as a work of art but as a labor of love—a tribute to American patriotism.

For several years it had stood there in its place, greatly admired, but not finding the direction of its rightful destination. But, when the artist heard of the possible use to which it might be put as the memorial of freedom by the emancipated slaves themselves, he at once said that he should hold it with that view until the commission were prepared to take action, and that the price to be paid would be altogether a secondary consideration. When the description was given to the other members of the Western Sanitary Commission they sent for photographs, four of which, presenting the group at different points of view, were taken in Florence and forwarded to them. They at once decided to accept the design, and an order was given for its immediate execution in bronze, in accordance with the suggestions made by Mr. Ball. The original group was in Italian marble, and differs in some respects from the bronze group now to be inaugurated. In the original the kneeling slave is represented as perfectly passive, receiving the boon of freedom from the hand of the great liberator. But the artist justly changed this, to bring the presentation nearer to the historical fact, by making the emancipated slave an agent in his own deliverance.

He is accordingly represented as exerting his own strength with strained muscles in breaking the chain which had bound him. A far greater degree of dignity and vigor, as well as of historical accuracy, is thus imparted. The original was also changed by introduc-

ing, instead of an ideal slave, the figure of a living man—the last slave ever taken up in Missouri under the fugitive slave law, and who was rescued from his captors (who had transcended their legal authority) under the orders of the provost Marshal of St. Louis. His name was Archer Alexander, and his condition of servitude legally continued until the emancipation act became the law of the land. A photographic picture was sent to Mr. Ball, who has given both the face and manly bearing of the negro. The ideal group is thus converted into the literal truth of history without losing anything of its artistic conception or effect. The monument, in bronze, now inaugurated, was cast at the Royal foundry, in Munich. An exact copy of the original group as first designed by Mr. Ball, has been executed by him in pure white Italian marble for the Western Sanitary Commission, and will be permanently placed, as “Freedom’s Memorial,” in some public building of St. Louis. Of the eminent sculptor, Thomas Ball, to whose genius and love of country the whole praise of the work is due, it is unnecessary to speak. His design was accepted, after three years’ diligent seeking, solely on its merits. But it is a source of congratulation to all lovers of the American Union that this monument, in memory of the people’s President and the Freedmen’s best friend, is from the hand of one who not only stands in the foremost rank of living artists, but who is himself proud to be called an American citizen.

The amount paid Mr. Ball for the bronze group was \$17,000, every cent of which has been remitted to him. So you have a finished monument, all paid for. The Government appropriated \$3,000 for the foundation and pedestal upon which the bronze group stands, making the cost, in all, \$20,000. I have thus given you a brief history of the Freedmen's Memorial Monument, and how and why the Western Sanitary Commission came to have anything to do with it. To them it has been a labor of love. In the execution of the work they have exercised their best judgment—done the best that could be done with the limited means they had to do it with. It remains with you and those who will follow to say how wisely or how well it has been done. Whatever of honor, whatever of glory belongs to this work, should be given to Charlotte Scott, the poor slave woman. Her offering of gratitude and love, like that of the widow's mite, will be remembered in heaven when the gifts of those rich in this world's goods shall have passed away and been forgotten.

. Professor Langston, receiving the statue, said: "In behalf of our entire nation, in behalf especially of the donors of the fund with whose investment you and your associates of the 'Western Sanitary Commission' have been charged, I tender to you, sir, and through you to the commission, our sincere thanks for the prompt and wise performance of the trust and duty committed to your care. The finished and appropriate work of art presented by you we accept and dedicate

through the ages in memory and honor of him who is to be forever known in the records of the world's history as the emancipator of the enslaved of our country. We unveil it to the gaze, the admiration of mankind.

“Fellow-citizens, according to the arrangement of the order of exercises of this occasion it had fallen to my lot to unveil this statute which we dedicate to-day; but we have with us the President of the United States and it strikes me that it is altogether fit and proper to now ask him to take part in the exercises so far as to unveil this monument.”

President Grant advanced to the front of the stand. A moment passed in the deepest silence, but when the President pulled the cord and the flags fell away, and the bronze figures were exposed to view, the people burst into spontaneous applause and exclamations of admiration. To the noisy manifestations of admiration were added the booming of cannon and the strains of the band, which struck up “Hail to the Chief.”

The monument stands on a granite pedestal ten feet in height, for which an appropriation was made by the last congress. The martyred President is standing beside a monolith, upon which is a bust of Washington in *bas relief*. In his right hand he holds the proclamation, while his left is stretched over a slave, upon whom his eyes are bent, who is just rising, and from whose limbs the shackles have just burst. The figure of the

slave is that of a man worn by toil, with muscles hardened and rigid. He is represented as just rising from the earth, while his face is lighted with joy as he anticipates the full manhood of freedom. Upon the base of the monument is cut the word "Emancipation." The figures are colossal, and the effect is grand. On the front, in bronze letters, the following inscription:

FREEDOM'S MEMORIAL.

"In grateful memory of ABRAHAM LINCOLN, this monument was erected by the Western Sanitary Commission, of St. Louis, Mo., with funds contributed solely by emancipated citizens of the United States, declared free by his proclamation, January 1, A. D. 1863.

"The first contribution of five dollars was made by Charlotte Scott, a freed woman of Virginia, being her first earnings in freedom, and consecrated by her suggestion and request, on the day she heard of President Lincoln's death, to build a monument to his memory."

On the reverse:

"And upon this act, sincerely believed to be an act of justice, warranted by the constitution upon military necessity, I invoke the considerate judgment of mankind, and the gracious favor of Almighty God."

The following Poem, written for the occasion by Miss Cordelia Ray of New York, was then read.

LINCOLN.

To-day O martyred chief! beneath the sun
We would unveil thy form; to thee who won
The applause of nations, for thy soul sincere,
A living tribute we would offer here.
'Twas thine not worlds to conquer, but men's hearts;
To change to balm the sting of slavery's darts;
In lowly charity thy joy to find,
And open "gates of mercy on mankind,"
And so they come, the freed, with grateful gift,
From whose sad path the shadows thou didst lift.

Eleven years have rolled their seasons round
Since its most tragic close thy life-work found.
Yet through the vistas of the vanished days
We see thee still, responsive to our gaze
As ever to thy country's solemn needs.
Not regal coronets, but princely deeds
Were thy chaste diadem; of truer worth
Thy modest virtues than the gems of earth.
Staunch, honest, fervent in the purest cause.
Truth was thy guide; her mandates were thy laws.

Rare heroism; spirit purity;
The storied Spartan's stern simplicity;
Such moral strength as gleams like burnished gold
Amid the doubts of men of weaker mold
Were thine. Called in thy country's sorest hour,
When brother knew not brother—mad for power—
To guide the helm through bloody deeps of war,
While distant nations gazed in anxious awe,
Unflinching in the task, thou didst fulfill
Thy mighty mission with a deathless will.

Born to a destiny the most sublime,
Thou wert, O Lincoln! in the march of time.
God bade thee pause—and bid the oppressed go free—
Most glorious boon giv'n to humanity,
While Slavery ruled the land, what deeds were done!
What tragedies enacted 'neath the sun!
Her page is blurred with records of defeat
Of lives heroic lived in silence—meet
For the world's praise—of woe, despair, and tears—
The speechless agony of weary years!

Thou utterest the word, and Freedom fair
Rang her sweet bells on the clear winter air;
She waved her magic wand, and lo! from far
A long procession came! with many a scar
Their brows were wrinkled—in the bitter strife,
Full many had said their sad farewell to life.
But on they hasten'd—free—their shackles gone—
The aged, young—e'en infancy was borne
To offer unto thee loud pæons of praise—
Their happy tribute after saddest days.

A race set free! The deed brought joy and light!
It bade calm justice from her sacred height,
When faith, and hope, and courage slowly waned,
Unfurl the stars and stripes at last unstained!
The nations rolled acclaim from sea to sea,
And Heaven's vaults rang with Freedom's harmony.
The Angels, mid the amaranths must have hush'd
Their chanted cadence, as upward rush'd
The hymn sublime; and as the echoes pealed
God's ceaseless benison the action sealed.

As now we dedicate this shaft to thee,
True champion! in all humility

And solemn earnestness, we would erect
A monument invisible, undecked,
Save by our allied purpose to be true
To Freedom's loftiest precepts, so that through
The fiercest contest we may walk secure,
Fixed on foundations that may still endure
When granite shall have crumbled to decay,
And generations passed from earth away.

Exalted patriot ! illustrious chief !
Thy life's immortal work compels belief.
To-day in radiance thy virtues shine,
And how can we a fitting garland twine ?
Thy crown most glorious is a ransomed race !
High on our country's scroll we fondly trace
In lines of fadeless light that softly blend ;
Emancipation, hero, martyr, friend !
While Freedom may her holy sceptre claim,
The world shall echo with " Our Lincoln's " name.

Hon. Frederick Douglass, the orator of the day, was then introduced, and delivered the following

ORATION.

FRIENDS AND FELLOW CITIZENS: I warmly congratulate you upon the highly interesting object which has caused you to assemble in such numbers and spirit as you have to-day. This occasion is in some respects remarkable. Wise and thoughtful men of our race, who shall come after us, and study the lesson of our history in the United States, who shall survey the long and dreary space over which we have traveled, who shall count the links in the great chain of events by which we have reached our present position, will made a note of this occa-

sion—they will think of it, and with a sense of manly pride and complacency. I congratulate you also upon the very favorable circumstances in which we meet to-day. They are high, inspiring and uncommon. They lend grace, glory and significance to the object for which we have met. Nowhere else in this great country, with its uncouth towns and cities, uncouth wealth, and unmeasurable territory extending from sea to sea, could conditions be found more favorable to the success of this occasion than here. We stand to-day at the national centre to perform something like a national act, an act which is to go into history, and we are here where every pulsation of the national heart can be heard, felt and reciprocated. A thousand wires, fed with thought and winged with lightning, put us in instantaneous communication with the loyal and true men all over the country. Few facts could better illustrate the vast and wonderful change which has taken place in our condition as a people, than the fact of our assembling here for the purpose we have to-day. Harmless, beautiful, proper and praiseworthy as this demonstration is, I cannot forget that no such demonstration would have been tolerated here twenty years ago. The spirit of slavery and barbarism, which still lingers to blight and destroy in some dark and distant parts of our country, would have made our assembling here to-day the signal and excuse for opening upon us all the flood-gates of wrath and violence. That we are here in peace to-day is a compliment and credit to American civilization, and a prophecy of still greater national enlightenment and progress in the future. I refer to the past not in malice, for this is no day for malice, but simply to place more distinctly in front the gratifying and glorious change which has come both to our white fellow-citizens and ourselves, and to congratulate all upon the contrast between now and then, the new dispensation of freedom with its thousand blessings to both races, and the old dispensation of slavery with its ten

thousand evils to both races—white and black. In view then, of the past, the present and the future, with the long and dark history of our bondage behind us, and with liberty, progress and enlightenment before us, I again congratulate you upon this auspicious day and hour.

Friends and fellow-citizens: The story of our presence here is soon and easily told. We are here in the District of Columbia; here in the city of Washington, the most luminous point of American territory—a city recently transformed and made beautiful in its body and in its spirit; we are here, in the place where the ablest and best men of the country are sent to devise the policy, enact the laws and shape the destiny of the Republic; we are here, with the stately pillars and majestic dome of the Capitol of the nation looking down upon us; we are here with the broad earth freshly adorned with the foliage and flowers of spring for our church, and all races, colors and conditions of men for our congregation; in a word, we are here to express, as best we may, by appropriate forms and ceremonies, our grateful sense of the vast, high and pre-eminent services rendered to ourselves, to our race, to our country and to the whole world, by Abraham Lincoln.

The sentiment that brings us here to-day is one of the noblest that can stir and thrill the human heart. It has crowned and made glorious the high places of all civilized nations, with the grandest and most enduring works of art, designed to illustrate characters and perpetuate the memories of great public men. It is the sentiment which from year to year adorns with fragrant and beautiful flowers the graves of our loyal, brave and patriotic soldiers who fell in the defense of the Union and liberty. It is the sentiment of gratitude and appreciation, which often, in the presence of many who hear me, has filled yonder heights of Arlington with the eloquence of eulogy and the sublime enthus-

iasm of poetry and song ; a sentiment which can never die while the Republic lives. For the first time in the history of our people, and in the history of the whole American people, we join in this high worship and march conspicuously in the line of this time honored custom. First things are always interesting, and this is one of our first things. It is the first time that, in this form and manner, we have sought to do honor to any American great man, however deserving and illustrious. I commend the fact to notice. Let it be told in every part of the Republic ; let men of all parties and opinions hear it ; let those that despise us, not less those who respect us, know that now and here, in the spirit of liberty, loyalty, and gratitude, let it be known everywhere and by everybody who takes an interest in human progress and in the amelioration of the condition of mankind, that in the presence and with the approval of the members of the House of Representatives, reflecting the general sentiment of the country ; that in the presence of that august body, the American Senate, representing the highest intelligence and the calmest judgment of the country ; in presence of the Supreme Court and Chief Justice of the United States, to whose decisions we all patriotically bow ; in the presence and under the steady eye of the honored trusted President of the United States, we, the colored people, newly emancipated and rejoicing in our blood-bought freedom, near the close of the first century in the life of this Republic, have now and here unveiled, set apart, and dedicated a monument of enduring granite, and bronze, in every line, feature, and figure of which the men of this generation may read—and those of after coming generations may read—something of the exalted character and great work of Abraham Lincoln, the first martyr President of the United States.

Fellow-citizens : In what we have said and done to-day, and in what we may say and do hereafter, we disclaim everything

like arrogance and assumption. We claim for ourselves no superior devotion to the character, history and memory of the illustrious name whose monument we have here dedicated to-day. We fully comprehend the relation of Abraham Lincoln, both to ourselves and the white people of the United States. Truth is proper and beautiful at all times and in all places, and it is never more proper and beautiful in any case than when speaking of a great public man whose example is likely to be commended for honor and imitation long after his departure to the solemn shades, the silent continents of eternity. It must be admitted, truth compels me to admit, even here in the presence of the monument we have erected to his memory. Abraham Lincoln was not, in the fullest sense of the word, either our man or our model. In his interests, in his associations in his habits of thought, and in his prejudices, he was a white man. He was pre-eminently the white man's President, entirely devoted to the welfare of white men. He was ready and willing at anytime during the first year of his administration to deny, postpone and sacrifice the rights of humanity in the colored people, to promote the welfare of the white people of this country. In all his education of feelings he was an American of the Americans.

He came into the Presidential chair upon one principle alone, namely, opposition to the extension of slavery. His arguments in furtherance of this policy had their motive and mainspring in his patriotic devotion to the interests of his own race. To protect, defend and perpetuate slavery in the States where it existed. Abraham Lincoln was not less ready than any other President to draw the sword of the nation. He was ready to execute all the supposed constitutional guarantees of the Constitution in favor of the slave system anywhere inside the Slave States. He was willing to pursue, recapture and send back the fugitive slave to his master, and to suppress a slave rising for

liberty, though his guilty master were already in arms against the Government. The race to which we belong were not the special objects of his consideration. Knowing this, I concede to you, my white fellow-citizens, a pre-eminence in this worship at once full and supreme. First, midst and last you and yours were the object of his deepest affection and his most earnest solicitude. You are the children of Abraham Lincoln: We are at best only his step-children, children by adoption, children, by force of circumstances and necessity. To you it especially belongs to sound his praises, to preserve and perpetuate his memory, to multiply his statues, to hang his pictures on your walls, and commend his example, for to you he was a great and glorious friend and benefactor. Instead of supplanting you at this altar we would exhort you to build high his monuments; let them be of the most costly workmanship; let their forms be symmetrical, beautiful and perfect; let their bases be upon solid rocks, and their summits lean against the unchanging blue overhanging sky, and let them endure forever! But while in the abundance of your wealth and in the fullness of your just and patriotic devotion you do all this, we entreat you to despise not the humble offering we this day unveil to view; for while Abraham Lincoln saved for you a country, he delivered us from a bondage, according to Jefferson, one hour of which was worse than ages of the oppression your father rose in rebellion to oppose.

Fellow-citizens: Ours is a new-born zeal and devotion, a thing of the hour. The name of Abraham Lincoln was near and dear to our hearts, in the darkest and most perilous hours of the Republic. We were no more ashamed of him when shrouded in clouds of darkness, of doubt and defeat than when crowned with victory, honor and glory. Our faith in him was often taxed and strained to the uttermost, but it never failed. When he tarried long in the mountain; when he strangely told us that

we were the cause of the war ; when he still more strangely told us to leave the land in which we were born ; when he refused to employ our arms in defense of the Union ; when, after accepting our services as colored soldiers, he refused to retaliate when we were murdered as colored prisoners ; when he told us he would save the Union if he could with slavery ; when he revoked the proclamation of emancipation of General Fremont ; when he refused to move the commander of the Army of the Potomac, who was more zealous in his efforts to protect slavery than suppress rebellion ; when we saw this, and more, we were at times stunned, grieved and greatly bewildered ; but our hearts believed while they ached and bled. Nor was this, even at that time, a blind and unreasoning superstition. Despite the mist and haze that surrounded him ; despite the tumult, the hurry and confusion of the hour, we were able to take a comprehensive view of Abraham Lincoln, and to make reasonable allowance for the circumstances of his position. We saw him, measured him, and estimated him ; not by stray utterances to injudicious and tedious delegations, who often tried his patience ; not by isolated facts torn from their connection ; not by any partial and imperfect glimpses, caught at inopportune moments ; but by a broad survey, in the light of the stern logic of great events—and in view of that divinity which shapes our ends, rough hew them as we will, we came to the conclusion that the hour and the man of our redemption had met in the person of Abraham Lincoln. It mattered little to us what language he might employ upon special occasions ; it mattered little to us, when we fully knew him, whether he was swift or slow in his movements ; it was enough for us that Abraham Lincoln was at the head of a great movement, and was in living and earnest sympathy with the movement, which, in the nature of things, must go on till slavery should be utterly and forever abolished in the United States. When, therefore, it shall be asked what we have to do

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with the memory of Abraham Lincoln, or what Abraham Lincoln had to do with us, the answer is ready, full and complete. Though he loved Cæsar less than Rome, though the Union was more to him than our freedom or our future, under his wise and beneficent rule we saw ourselves gradually lifted from the depths of slavery to the heights of liberty and manhood; under his wise and beneficent rule, and by measures approved and vigorously pressed by him, we saw that the handwriting of ages, in the form of prejudice and proscription was rapidly fading away from the face of our whole country; under his rule, and in due time, about as soon after all as the country could tolerate the strange spectacle, we saw our brave sons and brothers laying off the rags of bondage, and being clothed all over in the blue uniforms of the soldiers of the United States; under his rule we saw two hundred thousand of our dark and dusky people responding to the call of Abraham Lincoln, and, with muskets on their shoulders and eagles on their buttons, timing their high footsteps to liberty and union under the national flag; under his rule we saw the independence of the black Republic of Hayti, the special object of slave holding aversion and horror fully recognized, and her minister, a colored gentleman, duly received here in the city of Washington; under his rule we saw the internal slave trade which so long disgraced the nation abolished in the District of Columbia; under his rule we saw for the first time the law enforced against the foreign slave trade and the first slave-trader hanged, like any other pirate or murderer; under his rule and his inspiration we saw the Confederate States, based upon the idea that our race must be slaves, and slaves forever, battered to pieces and scattered to the four winds; under his rule, and in the fullness of time, we saw Abraham Lincoln, after giving the slaveholder three months of grace in which to save their hateful slave system, penning the immortal paper which, though special in its language, was general in its princi-

ples and effect, making slavery forever impossible in the United States. Though we waited long we saw all this and more.

Can any colored man, or any white man friendly to the freedom of all men, ever forget the night which followed the first day of January, 1863? When the world was to see if Abraham Lincoln would prove to be as good as his word? I shall never forget that memorable night, when in a distant city I waited and watched at a public meeting, with three thousand others not less anxious than myself, for the word of deliverance which we have heard read to-day. Nor shall I ever forget the outburst of joy and thanksgiving that rent the air when the lightning brought to us the emancipation. In that happy hour we forgot all delay, and forgot all tardiness, forgot that the President had bribed the rebels to lay down their arms by a promise to withhold the bolt which would smite the slave system with destruction; and we were thenceforward willing to allow the President all the latitude of time, phraseology, and every honorable device that statesmanship might require for the achievement of a great and beneficent measure of liberty and progress.

Fellow citizens, there is little necessity on this occasion to speak at length and critically of this great and good man, and of his high mission in the world. That ground has been fully occupied and completely covered both here and elsewhere. The whole field of fact and fancy has been gleaned and garnered. Any man can say things that are true of Abraham Lincoln, but no man can say anything new of Abraham Lincoln. His personal traits and public acts are better known to the American people than are those of any other man of his age. He was a mystery to no man who saw him and heard him. Though high in position, the humblest could approach him and feel at home in his presence. Though deep, he was transparent; though strong, he was gentle; though decided and pronounced in his

convictions, he was tolerant towards those who differed from him, and patient under reproaches.

Even those who only knew him through his public utterances obtained a tolerably clear idea of his character and his personality. The image of the man went out with his words, and those who read him knew him. I have said that President Lincoln was a white man, and shared the prejudices common to our countrymen towards the colored race. Looking back to his times and to the condition of the country, this unfriendly feeling on his part may safely be set down as one element of his wonderful success in organizing the loyal American people for the tremendous conflict before them, and bringing them safely through that conflict. His great mission was to accomplish two things; first, to save his country from dismemberment and ruin, and second, to free his country from the great crime of slavery. To do one or the other, or both, he must have the earnest sympathy and the powerful co-operation of his loyal fellow-countrymen. Without this primary and essential condition to success, his efforts must have been vain and utterly fruitless. Had he put the abolition of slavery before the salvation of the Union, he would have inevitably driven from him a powerful class of American people, and rendered resistance to rebellion impossible. Viewed from the genuine abolition ground, Mr. Lincoln seemed tardy, cold, dull, and indifferent; but measuring him by the sentiment of his country, a sentiment he was bound as a statesman to consult, he was swift, zealous, radical, and determined. Though Mr. Lincoln shared the prejudices of his white fellow-countrymen against the negro, it is hardly necessary to say that in his heart of hearts he loathed and hated slavery. He was willing while the South was loyal that it should have its pound of flesh, because he thought it was so nominated in the bond, but further than this no earthly power could make him go.

Fellow-citizens, whatever else in this world may be partial,

unjust and uncertain, *time! time!* is impartial, just and certain in its actions. In the realm of matter, it is a great worker, and often works wonders. The honest and comprehensive statesman, clearly discerning the needs of his country, and earnestly endeavoring to do his whole duty, though covered and blistered with reproaches, may safely leave his course to the silent judgment of time. Few great public men have ever been the victims of fiercer denunciation than Abraham Lincoln was during his administration. He was often wounded in the house of his friends. Reproaches came thick and fast upon him from within and from without, and from opposite quarters. He was assailed by abolitionists; he was assailed by slaveholders; he was assailed by men who were for peace at any price; he was assailed by those who were for a more vigorous prosecution of the war; he was assailed for not making the war an abolition war; and he was most bitterly assailed for making the war an abolition war. But now behold the change; the judgment of the present hour is, that taking him for all in all, measuring the tremendous magnitude of the work before him, considering the necessary means to ends, and surveying the end from the beginning, infinite wisdom has seldom sent any man into the world better fitted for his mission than was Abraham Lincoln. His birth; his training, and his natural endowments, both mental and physical, were strongly in his favor. Born and reared among the lowly, a stranger to wealth and luxury, compelled to grapple single-handed with the flintiest hardships from tender youth to sturdy manhood, he grew strong in the manly and heroic qualities demanded by the great mission to which he was called by the votes of his countrymen. The hard condition of his early life, which would have depressed and broken down weaker men, only gave greater life, vigor and buoyancy to the heroic spirit of Abraham Lincoln. He was ready for any kind and any quality of work. What other young men dreaded in the shape of toil,

he took hold of with the utmost cheerfulness.

A spade, a rake, a hoe,
A pick-axe or a bill ;
A hook to reap, a scythe to mow,
A flail, or what you will.

All day long he could split heavy rails in the woods, and half the night long he could study his English grammar by the uncertain flare and glare of the light made by a pine knot. He was at home on the land with his axe, with his maul, with gluts and his wedges ; and he was equally at home on water, with his oars, with his poles, with his planks and with his boathooks. And whether in his flatboat on the Mississippi river, or at the fireside of his frontier cabin, he was a man of work. A son of toil himself he was linked in brotherly sympathy with the sons of toil in every loyal part of the Republic. This very fact gave him tremendous power with the American people, and materially contributed not only to selecting him to the Presidency, but in sustaining his administration of the Government.

Upon his inauguration as President of the United States, an office even where assumed under the most favorable conditions, it is fitted to tax and strain the largest abilities, Abraham Lincoln was met by a tremendous pressure. He was called upon not merely to administer the Government, but to decide, in the face of terrible odds, the fate of the Republic. A formidable rebellion rose in his path before him ; the Union was already practically dissolved. His country was torn and rent asunder at the centre. Hostile enemies were already organized against the Republic, armed with the munitions of war which the Republic had provided for its own defense. The tremendous question for him to decide was whether his country should survive the crisis and flourish or be dismembered and perish. His predecessor in office had already decided the question in favor of national dismemberment, by denying it the right of self-defense and self-preservation.

Happily for the country, happily for you and for me, the judgment of James Buchanan, the patrician, was not the judgment of Abraham Lincoln, the plebeian. He brought his strong common sense, sharpened in the school of adversity, to bear upon the question. He did not hesitate, he did not doubt, he did not falter, but at once resolved at whatever peril, at whatever cost, the union of the States should be preserved. A patriot himself, his faith was firm and unwavering in the patriotism of his countrymen. Timid men said before Mr. Lincoln's inauguration that we had seen the last President of the United States. A voice in influential quarters said let the Union slide. Tome said that a Union maintained by the sword was worthless. Others said a rebellion of 8,000,000 cannot be suppressed. But in the midst of all this tumult and timidity, and against all this Abraham Lincoln was clear in his duty, and had an oath in heaven. He calmly and bravely heard the voice of doubt and fear all around him, but he had an oath in heaven, and there was not power enough on earth to make this honest boatman, backwoodsman and broad-handed splitter of rails evade or violate that sacred oath. He had not been schooled in the ethics of slavery; his plain life favored his love of truth. He had not been taught that treason and perjury were the proofs of honor and honesty. His moral training was against his saying one thing when he meant another. The trust which Abraham Lincoln had of himself and in the people was surprising and grand, but it was also enlightened and well founded. He knew the American people better than they knew themselves, and his truth was based upon his knowledge.

Had Abraham Lincoln died from any of the numerous ills to which flesh is heir; had he reached that good old age to which his vigorous constitution and his temperate habits gave promise; had he been permitted to see the end of his great work; had the solemn curtain of death come down but gradually, we should

still have been smitten with a heavy grief and treasured his name lovingly. But dying as he did die, by the red hand of violence ; killed, assassinated, taken off without warning, not because of personal hate, for no man who knew Abraham Lincoln could hate him, but because of his fidelity to Union and liberty, he is doubly dear to us, and will be precious forever,

Fellow-citizens, I end as I begin, with congratulations. We have done a good work for our race to-day. In doing honor to the memory of our friend and liberator we have been doing highest honor to ourselves and those who come after us. We have been fastening ourselves to a name and fame imperishable and immortal. We have also been defending ourselves from a blighting slander. When now it shall be said that the colored man is soulless : that he has no appreciation of benefits or benefactors ; when the foul reproach of ingratitude is hurled at us, and it is attempted to scourge us beyond the range of human brotherhood, we may calmly point to the monument we have this day erected to the memory of Abraham Lincoln."



EMANCIPATION BY THE INDIANS.

EMANCIPATION BY THE INDIANS.

Doubtless it is generally believed that the emancipation proclamation, thirteenth amendment to the National Constitution, and the several acts of Congress passed in furtherance of the abolition of slavery in the several States and Territories of the United States gave freedom to all the slaves therein ; in this opinion the historians have taken no small share and the American people, particularly at the North, so accepted the efficaciousness of these acts, rendered still more effective by the surrender of Generals Lee's and Johnson's forces—all that remained of the Confederate armies in 1865,—that they heralded the birth of universal emancipation throughout the country. Literally this was not true, for there yet remained in slavery within the boundary of the United States, thousands of Negro slaves. While civilization and freedom have marched side by side with each other, the civilization of the two sections, North and South, has been as distinct as that of Germany and Spain, the one giving freedom to the many and the other freedom to the few, and this may be seen from the result of the teachings of the two sections regarding the uncivilized Indian tribes inhabiting them—though strongly opposing the mode and manner of the European specially in that of husbandry—yet they were

sometimes obliged to give up their prejudices and vices and accept the civilization of the European or be driven from their hunting grounds into the Western forest there to become extinct.

Several of the Southern tribes however had not the opportunity of thus fleeing from civilization ; they were surrounded by Europeans who landed on the shores of the Atlantic and descended either the Ohio or ascended the Mississippi and settled upon their borders. Thus cut off from retreat—unlike the tribes at the North—driven before the rapid advance of civilization, but fenced within narrow limits, unable to make good their escape, they accepted so much of civilization as allowed them either to remain with the whites, intermingling with them, or though living separately, were doomed to labor in agricultural fields, and in short they imbibed all the vices of their civilizers and sought luxurious ease through the labor of the Negro and became slave holders themselves. The Cherokees, Creeks, Choctaws, Chickasaws, and Seminole tribes were found in possession of twelve thousand six hundred and six Negro slaves at the close of the war of 1861–5. Demands for the liberation of the slaves were made by the United States government, but each demand was met with a refusal, and as the government of the states in which these tribes lived had not taxed them, and as the United States government had ever dealt with them as *Nations*, consequently she found no authority to enforce either the Emancipation edict, or the provisions of the amend-

ed National Constitution, but by treaties made with the United States, these tribes, in 1866, emancipated their slaves.

The Seminole Nation in a treaty concluded March 21st, 1866, specified that:

"The Seminole nation covenant that henceforth in said nation slavery shall not exist, nor involuntary servitude, except for and in punishment of crime, whereof the offending party shall first have been duly convicted in accordance with law, applicable to all the members of said nation. And inasmuch as there are among the Seminoles many persons of African descent and blood, who have no interest or property in the soil, and no recognized civil rights, it is stipulated that hereafter these persons and their descendants, and such other of the same race as shall be permitted by said nation to settle there, shall have and enjoy all the rights of native citizens, and the laws of said nation shall be equally binding upon all persons of whatever race or color who may be adopted as citizens or members of said tribe."

The Choctaw and Chickasaw Nations entered into a treaty with the United States of America on the 28th of April, 1866, in which it was stipulated.

"That henceforth neither slavery nor involuntary servitude, otherwise than in punishment of crime whereof the parties shall have been duly convicted, in accordance with laws applicable to all members of the particular nation, shall ever exist in said nations.

ARTICLE 3.

"The Choctaws and Chickasaws, in consideration of the sum of \$300,000, hereby cede to the United States the territory west of the 98° west longitude, known as the leased district, provided that the said sum shall be invested and held by the United

States, at an interest not less than five per cent., in trust for the said nations, until the legislatures of the Choctaw and Chickasaw nations respectively shall have made such laws, rules, and regulations as may be necessary to give all persons of African descent, resident in the said nations at the date of the treaty of Fort Smith, and their descendants, heretofore held in slavery among said nations, all the rights, privileges, and immunities, including the right of suffrage, of citizens of said nations except in the annuities, moneys, and public domain claimed by, or belonging to, said nations respectively; and also to give to such persons who were residents as aforesaid, and their descendants, forty acres each of the land of said nations on the same terms as the Choctaws and Chickasaws, to be selected on the survey of said land, after the Choctaws and Chickasaws and Kansas Indians have made their selections as herein provided; and immediately on the enactment of such laws, rules, and regulations, the said sum of \$300,000 shall be paid to the said Choctaw and Chickasaw nations in the proportion of three-fourths to the former and one-fourth to the latter—less such sum, at the rate of one hundred dollars per capita, as shall be sufficient to pay such persons of African descent before referred to as within ninety days after the passage of such laws, rules and regulations shall elect to remove and actually remove from the said nations respectively. And should the said laws, rules and regulations not be made by the legislatures of the said nations respectively, within two years from the ratification of this treaty, then the said sum of three hundred thousand dollars shall cease to be held in trust for the said Choctaw and Chickasaw nations, and be held for use and benefit of such of said persons of African descent as the United States shall remove from the said territory in such manner as the United States shall deem proper—the United States agreeing, within ninety days from the expiration of the said two years, to remove from said nations all such

persons of African descent as may be willing to remove ; those remaining or returning after having been removed from said nations to have no benefit of said sum of three hundred thousand dollars, or any part thereof, but shall be upon the same footing as other citizens of the United States in the said nations.

ARTICLE 4.

“ The said nations further agree that all negroes, not otherwise disqualified or disabled, shall be competent witnesses in all civil and criminal suits and proceedings in the Choctaw and Chickasaw courts, any law to the contrary notwithstanding ; and they fully recognize the right of the freedmen to a fair remuneration on reasonable and equitable contracts for their labor, which the law should aid them to enforce. And they agree, on the part of their respective nations, that all laws shall be equal in their operation upon Choctaws, Chickasaws, and negroes, and that no distinction affecting the latter shall at any time be made, and that they shall be treated with kindness and be protected against injury ; and they further agree, that while the said freedmen, now in {the Choctaw and Chickasaw nations remain in said nations respectively, they shall be entitled to as much land as they may cultivate for the support of themselves and families, in cases where they do not support themselves and families by hiring, not interfering with existing improvements without the consent of the occupant, it being understood that in the event of the making of the laws, rules, and regulations aforesaid, the forty acres aforesaid shall stand in place of the land cultivated as last aforesaid.”

On the 14th of June, 1866, the Creek Nation concluded a treaty, the second article of which reads :

“ The Creeks hereby covenant and agree that henceforth neither slavery nor involuntary servitude, otherwise than in the punishment of crimes, whereof the parties shall have been du-

ly convicted in accordance with laws applicable to all members of said tribe, shall ever exist in said nation; and inasmuch as there are among the Creeks many persons of African descent, who have no interests in the soil, it is stipulated that hereafter these persons lawfully residing in said Creek country under their laws and usages, or who have been thus residing in said country, and may return within one year from the ratification of this treaty, and their descendants and such others of the same race as may be permitted by the laws of the said nation to settle within the limits of the jurisdiction of the Creek Nation as citizens [thereof,] shall have and enjoy all the rights and privileges of native citizens, including an equal interest in the soil and national funds, and the laws of the said nation shall be equally binding upon and give equal protection to all such persons; and all others, of whatsoever race or color, who may be adopted as citizens or members of said tribe.

The treaty made with the Cherokee Nation July 19th, 1866, relating to the emancipation of their slaves, sets forth that :

ARTICLE 4.

“ All the Cherokees and freed persons who were formerly slaves to any Cherokee, and all free negroes not having been such slaves, who resided in the Cherokee nation prior to June 1st, 1861, who may within two years elect not to reside north-east of the Arkansas river and southeast of Grand river, shall have the right to settle in and occupy the Canadian district southwest of the Arkansas river, and also all that tract of country lying northwest of Grand river, and bounded on the southeast by Grand river and west by the Creek reservation to the northeast corner thereof; from thence west on the north line of the Creek reservation to the ninety-sixth degree of west longitude; and thence north on said line of longitude so far that a line due east to Grand river will include a quantity of land equal

to 160 acres for each person who may so elect to reside in the territory above described in this article: *Provided*, That that part of said district north of the Arkansas river shall not be set apart until it shall be found that the Canadian district is not sufficiently large to allow one hundred and sixty acres to each person desiring to obtain settlement under the provisions of the article.

ARTICLE 9.

The Cherokee nation having, voluntarily, in February, 1863, by an act of their national council, forever abolished slavery, hereby covenant and agree that never hereafter shall either slavery or involuntary servitude exist in their nation otherwise than in the punishment of crime, whereof the party shall have been duly convicted, in accordance with laws applicable to all the members of said tribe alike, They further agree that all freedmen who have been liberated by voluntary act of their former owners or by law, as well as all free colored persons who were in the country at the commencement of the rebellion, and are now residents therein, or who may return within six months, and their descendants, shall have all the rights of native Cherokees: *Provided*, That owners of slaves so emancipated in the Cherokee nation shall never receive any compensation or pay for the slaves so emancipated.

ARTICLE 10.

Every Cherokee and freed person resident in the Cherokee nation shall have the right to sell any products of his farm, including his or her live stock, or any merchandise or manufactured products, and to ship and drive the same to market without restraint; paying any tax thereon which is now or may be levied by the United States on the quantity sold outside of the Indian territory,"

By these treaties the last vestige of slavery in the United States and among the civilized tribes was wiped out, leaving whatever remained of the institution with the uncivilized tribes along the frontier, and with these there cannot be but a few Negro slaves, if indeed there are any.





EMANCIPATION PROCLAMATIONS.

THE EMANCIPATION PROCLAMATION

OF SEPT. 22nd, 1862.

"I, Abraham Lincoln, President of the United States of America, and Commander-in-Chief of the Army and Navy thereof, do hereby proclaim and declare that hereafter as heretofore the war will be prosecuted for the object of practically restoring the constitutional relation between the United States and the people thereof in those States in which that relation is, or may be, suspended or disturbed; that it is my purpose upon the next meeting of Congress to again recommend the adoption of a practical measure tendering pecuniary aid to the free acceptance or rejection of all the slave States, so-called, the people whereof may not then be in rebellion against the United States, and which States may then have voluntarily adopted, or thereafter may voluntarily adopt, the immediate or gradual abolishment of slavery within their respective limits, and that the effort to colonize persons of African descent, with their consent, upon the continent or elsewhere, with the previously obtained consent of the Government existing there, will be continued; that on the first day of January, in the year of our Lord one thousand eight hundred and sixty three, all persons held as slaves within any State, or any designated part of a State, the people whereof shall then be in rebellion against the United States, shall be then, thenceforward and forever, free, and the executive Government of the United States, including the military and naval authority thereof, will recognize and maintain the freedom of such persons, and will do no act or acts to repress such person, or any of them, in any efforts they may make for their actual freedom: that the Executive will, on the first

day of January, aforesaid, by proclamation, designate the States and parts of States, if any, in which the people thereof respectively shall then be in rebellion against the United States; and the fact that any State, or the people thereof, shall on that day be in good faith represented in the Congress of the United States by members chosen thereto, at elections wherein a majority of the qualified voters of such State shall have participated, shall, in the absence of strong countervailing testimony, be deemed conclusive evidence that such State and the people thereof have not been in rebellion against the United States.

"That attention is hereby called to an act of Congress entitled "An act to make an additional article of war," approved March 13, 1862, and which act is in the words and figures following:

"Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That hereafter the following shall be promulgated as an additional article of war for the government of the army of the United States, and shall be observed and obeyed as such.

"Article—, All officers or persons of the military or naval service of the United States are prohibited from employing any of the forces under their respective commands for the purpose of returning fugitives from service or labor, who may have escaped from any persons to whom such service or labor is claimed to be due, and any officer who shall be found guilty by a court-martial of violating this article, shall be dismissed from the service.

"Sec. 2. And be it further enacted, That this act shall take effect from and after its passage."

"Also to the ninth and tenth sections of an act entitled, "An act to suppress insurrection, to punish treason and rebellion, to seize and confiscate property of rebels, and for other purposes" approved July 17, 1862, and which sections are in the words and figures following:

“ ‘ *Sec. 9.* And be it further enacted. That all slaves of persons who shall hereafter be engaged in rebellion against the Government of the United States, or who shall in any way give aid or comfort thereto, escaping from such persons and taking refuge within the lines of the army ; and all slaves captured from such persons or deserted by them, and coming under the control of the Government of the United States, and all slaves of such persons found on (or being within,) any place occupied by rebel forces, and afterwards occupied by the forces of the United States, shall be deemed captives of war, and shall be forever free of their servitude and not again held as slaves.

“ ‘ *Sec. 10.* And be it further enacted, That no slave escaping into any State, Territory, or the District of Columbia, from any of the States, shall be delivered up, or in any way impeded or hindered of his liberty, except for crime, or some offence against the laws, unless the person claiming said fugitive shall first make oath that the person to whom the labor or service of such fugitive is alleged to be due, is his lawful owner, and has not been in arms against the United States in the present rebellion, nor in any way given aid and comfort thereto ; and no person engaged in the military or naval service of the United States shall, under any pretense whatever, assume to decide on the validity of the claim of any person to the service or labor of any other person, or surrender up any such person to the claimant, on pain of being dismissed from the service, ”

“ And I do hereby enjoin upon, and order all persons engaged in the military and naval service of the United States to observe, obey and enforce within their respective spheres of service the act and sections above recited.

“ ‘ And the executive will in due time recommend that all citizens of the United States who shall have remained loyal thereto throughout the rebellion, shall (upon the restoration of the constitutional relation between the United States and their re-

spective states and people, if the relation shall have been suspended or disturbed) be compensated for all losses by acts of the United States, including the loss of slaves.

"In witness whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

"Done at the city of Washington, this twenty-second day of September, in the year of our Lord one thousand eight hundred and sixty two, and of the Independence of the United States the eighty-seventh.

"By the President; ABRAHAM LINCOLN.

"WM. H. SEWARD, *Secretary of State*,"

PROCLAMATION OF JANUARY FIRST, 1863.

"*Whereas*; on the twenty-second day of September, in the year of our Lord one thousand eight hundred and sixty-two, a proclamation was issued by the President of the United States containing, among other things, the following, to wit:

"That on the first day of January, in the year of our Lord one thousand eight hundred and sixty-three, all persons held as slaves within any State, or designated part of a State, the people whereof shall then be in rebellion against the United States, shall be then, thenceforth and forever free, and the Executive Government of the United States, including the military and naval authorities thereof, will recognize and maintain the freedom of such persons, and will do no act or acts to repress such persons, or any of them, in any efforts they may make for their actual freedom,

"That the Executive will, on the first day of January aforesaid, by proclamation, designate the States and parts of States if any, in which the people therein respectively shall then be in rebellion against the United States, and the fact that any State or the people thereof shall on that day be in good faith represent-

ed in the Congress of the United States by members chosen thereto, at elections wherein a majority of the qualified voters of such States shall have participated, shall, in the absence of strong countervailing testimony, be deemed conclusive evidence that such State and the people thereof are not then in rebellion against the United States.

“ Now, therefore, I, Abraham Lincoln, President of the United States, by virtue of the power in me vested as Commander-in-chief of the Army and Navy of the United States in time of actual armed rebellion against the authority and Government of the United States, and as a fit and necessary war measure for suppressing said rebellion, do, on this first day of January, in the year of our Lord one thousand eight hundred and sixty-three: and in accordance with my purpose so to do, publicly proclaim for the full period of one hundred days from the day of the first above-mentioned order, and designate, as the States and parts of States wherein the people thereof respectively are this day in rebellion against the United States, the following to wit; Arkansas, Texas, Louisiana, except the parishes of St. Bernard, Palmettes, Jefferson, St. John, St. Charles, St. James, Ascension, Assumption, Terre Bonne, Lafourche, St. Mary, St. Martin, and Orleans, including the City of New Orleans, Mississippi. Alabama, Florida, Georgia, South Carolina, North Carolina, and Virginia, except the forty-eight counties designated as West Virginia, and also the counties of Berkeley, Accomac, Northampton, Elizabeth City, York, Princess Ann, and Norfolk including the cities of Norfolk and Portsmouth, and which excepted parts are, for the present, left precisely as if this proclamation were not issued.

“ And by virtue of the power and for the purpose aforesaid, I do order and declare that all persons held as slaves within said designated States and parts of States are, and henceforward shall be free; and that the Executive Government of the Unit-

ed States, including the Military and authorities thereof, will recognize and maintain the freedom of said persons.

“ And I hereby enjoin upon the people so declared to be free to abstain from all violence, unless in necessary self-defense, and I recommend to them, that in all cases, when allowed, they labor faithfully for reasonable wages.

“ And I further declare and make known that such persons of suitable condition will be received into the armed service of the United States to garrison forts, positions, stations, and other places, and to man vessels of all sorts in said service.

“ And upon this, sincerely believed to be an act of justice warranted by the Constitution, and upon military necessity, I invoke the considerate judgment of mankind and the gracious favor of Almighty God.

“ In witness whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

“ Done at the city of Washington, this first day of January, in the year of our Lord one thousand eight hundred and sixty three, and of the Independence of the United States of America the [L. S.] eighty-seventh.

“ By the President; ABRAHAM LINCOLN.
WILLIAM H. SEWARD, *Secretary of State*.”

RATIFICATION OF THE XIII AMENDMENT.

WILLIAM H. SEWARD,

Secretary of State of The United States,

TO ALL TO WHOM THESE PRESENTS MAY COME, GREETING:

Know ye, that whereas the Congress of the United States on the 1st of February last, passed a resolution which is in the words following, namely :

"A Resolution submitting to the Legislatures of the several States a proposition to amend the Constitution of the United States.

"Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, (two-thirds of both houses concurring.) That the following article be proposed to the Legislatures of the several States as an amendment to the Constitution of the United States, which when ratified by three-fourths of said Legislatures, shall be valid, to all intents and purposes, as a part of the said Constitution, namely :

ARTICLE XIII.

"SECTION 1. Neither slavery nor involuntary servitude, except as a punishment of crime, whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction.

"SECTION 2. Congress shall have power to enforce this article by appropriate legislation."

And whereas, it appears from official documents on file in this Department that the amendment to the Constitution of the United States proposed, as aforesaid, has been ratified by the legislatures of the States of Illinois, Rhode Island, Michigan, Maryland, New York, West Virginia, Maine, Kansas, Massachusetts, Penn-

sylvania, Virginia, Ohio, Missouri, Nevada, Indiana, Louisiana, Minnesota, Wisconsin, Vermont, Tennessee, Arkansas, Connecticut, New Hampshire, South Carolina, Alabama, North Carolina, and Georgia; in all twenty-seven States:

And whereas the whole number of States in the United States is thirty-six; and whereas the before specially-named States, whose legislatures have ratified the said proposed amendment, constitutes three-fourths of the whole number of States in the United States :

Now, therefore, be it known that I, WILLIAM H. SEWARD, Secretary of State of the United States, by virtue and in pursuance of the second section of the act of Congress, approved the twentieth of April, eighteen hundred and eighteen, entitled "An act to provide for the publication of the laws of the United States and for other purposes," do hereby certify that the amendment aforesaid has become valid, to all intents and purposes, as a part of the Constitution of the United States.

In testimony whereof, I have hereunto set my hand and caused the seal of the Department of State to be affixed.

Done at the city of Washington, this eighteenth day of December, in the year of our Lord one thousand eight hundred and sixty-five, and of the Independence of the United States of America the ninetieth.

WILLIAM H. SEWARD,
Secretary of State.

RATIFICATION OF THE XIII AMENDMENT BY THE STATES.

Alabama...	December 2nd, 1865
Arkansas.....	April 20, 1865
*California.	December 20, 1865
Connecticut.....	May 5, 1865
*Florida...	December 28, 1865
Georgia	December 9, 1862
Illinois	February 1, 1865
Indiana.....	February 16, 1865
*Iowa	January 24, 1865
Kansas...	February 7, 1865
Louisiana	February 17, 1865
Maine	February 7, 1865
Maryland.....	February 3, 1865
Massachusetts	February 8, 1865
Michigan	February 2, 1865
Minnesota.....	February 23, 1865
Missouri...	February 10, 1895
Nevada.....	February 16, 1865
New Hampshire.....	July 1, 1865
*New Jersey.....	January 23, 1866
New York.....	February 3, 1865
North Carolina.....	December 4, 1865
Ohio	February 10, 1865
*Oregon.....	December 11, 1865
Pennsylvania.....	February 8, 1865
Rhode Island.....	February 2, 1865
South Carolina.. . . .	November 13, 1865
Tennessee.....	April 7, 1865
Vermont	March 9, 1865
Virginia.....	February 9, 1865
West Virginia.....	February 3, 1865
Wisconsin	March 1, 1865
Texas.....	February 18, 1870

Secretary of State, Seward, issued his proclamation on the 18th of December, 1865, at which time, only twenty seven states had certified their ratification. Oregon ratified on the 11th of December, but probably

too late for the official notification to reach Washington. The other states are marked(*) showing clearly that they were too late to be counted, though enough had already ratified to justify the Secretary of State in issuing the proclamation as required by law.

EMANCIPATED.

The following Table shows the number of slaves freed.

Alabama.....	435,080
Arkansas	111,115
Delaware.....	1,798
Florida.....	61,745
Georgia.....	462,198
Kansas.....	2
Kentucky.....	225,483
Louisiana ...	331,726
Maryland.....	87,189
Mississippi	436,631
Missouri.....	114,931
Nebraska.....	15
*New Jersey	18
North Carolina ...	331,059
South Carolina.....	402,406
Tennessee.....	275,719
Texas	182,566
Virginia.....	490,865
District of Columbia.	3,185
Territory of Utah.....	29
By the Indians.....	12,606
<hr/>	
Total	3,966,366
St. Domingo.....	800,000
Gaudaloupe.....	85,000
Columbia.....	900,000

*New Jersey—These were eighteen apprentices for life, freed by XIII amendment.

Cape colony.....	30,000
Jamaica.....	331,000
Antigua.....	30,000
Russia....	23,000,000
Israelites, including women and childr'n.....	2,500,000
Indians in Spain.....	700
Porto Rica.....	35,000
India.....	1,500,000



Declaration of Independence
AND THE
Constitution of the United States.

THE DECLARATION OF INDEPENDENCE.—1776.

IN CONGRESS, JULY 4, 1776.

The Unanimous Declaration of the thirteen U. S. of America.

WHEN, in the course of human events, it becomes necessary for one people to dissolve the political bands which have connected them with another, and to assume among the Powers of the earth, the separate and equal station to which the Laws of Nature and of Nature's God entitle them, a decent respect to the opinions of mankind requires that they should declare the causes which impel them to the separation.

We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights; that among these are Life, Liberty, and the pursuit of Happiness. That to secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed; That whenever any Form of Government becomes destructive of these ends, it is the Right of the People to alter or to abolish it, and to institute new Government, laying its foundations on such principles and organizing its powers in such form, as to them shall seem most likely to effect their Safety and Happiness. Prudence, indeed, will dictate that Governments long established should not be changed for light and transient causes; and accordingly all experience hath shown, that mankind are more disposed to suffer, while evils are sufferable, than to right themselves by abolishing the forms to which they are accustomed. But when a long train of abuses and usurpations, pursuing invariably the same Object, evinces a design to reduce them under absolute Despotism, it is their right, it is their duty, to throw off such Govern-

ment, and to provide new Guards for their future security. Such has been the patient sufferance of these Colonies; and such is now the necessity which constrains them to alter their former systems of Government. The history of the present King of Great Britain is a history of repeated injuries and usurpations, all having in direct object the establishment of an absolute Tyranny over these States. To prove this let facts be submitted to a candid world.

He has refused his Assent to Laws the most wholesome and necessary for the public good.

He has forbidden his Governors to pass Laws of immediate and pressing importance, unless suspended in their operation till his Assent should be obtained; and when so suspended, he has utterly neglected to attend to them.

He has refused to pass other Laws for the accommodation of large districts of people, unless those people would relinquish the right of Representation in the Lagislature, a right inestimable to them and formidable to tyrants only.

He has called together legislative bodies at places unusual, uncomfortable and distant from the depository of their Public Records, for the sole purpose of fatiguing them into compliance with his measures.

He has dissolved Representative Houses repeatedly, for opposing with manly firmness his invasions on the rights of the people.

He has refused for a long time, after such dissolutions, to cause others to be elected, whereby the Legislative Powers, incapable of Annihilation, have returned to the People at large for their exercise; the State remaining in the meantime exposed to all the dangers of invasion from without, and convulsions within.

He has endeavoured to prevent the population of these States; for that purpose obstructing the Laws for Naturalization

of Foreigners ; refusing to pass others to encourage their migration hither, and raising the conditions of new Appropriations of Lands.

He has obstructed the Administration of Justice, by refusing his Assent to Laws for establishing Judiciary Powers.

He has made Judges dependent on his Will alone, for the tenure of their offices, and the amount and payment of their salaries.

He has erected a multitude of New Offices, and sent hither swarms of Officers to harass our People and eat out their substance.

He has kept among us, in times of peace, Standing Armies without the Consent of our legislature.

He has affected to render the Military independent of and superior to the Civil Power.

He has combined with others to subject us to a jurisdiction foreign to our constitution, and unacknowledged by our laws ; giving his Assent to their acts of pretended Legislation :

For quartering large bodies of armed troops among us :

For protecting them, by a mock Trial, from Punishment for any Murders which they should commit on the Inhabitants of these States :

For cutting off our Trade with all parts of the world :

For imposing taxes on us without our Consent :

For depriving us, in many cases, of the benefits of Trial by Jury ;

For transporting us beyond Seas to be tried for pretended offences.

For abolishing the free System of English Laws in a neighbouring Province, establishing therein an Arbitrary government, and enlarging its Boundaries, so as to render it at once an example and fit instrument for introducing the same absolute rule into these Colonies :

For taking away our Charters, abolishing our most valuable Laws, and altering fundamentally the Forms of our Government :

For suspending our own Legislature, and declaring themselves invested with Power to legislate for us in all cases whatsoever.

He has abdicated Government here, by declaring us out of his Protection, and waging War against us.

He has plundered our seas, ravaged our Coasts, burned our towns, and destroyed the lives of our people.

He is at this time transporting large armies of foreign mercenaries to complete the works of death, desolation and tyranny, already begun with circumstances of Cruelty and perfidy scarcely paralleled in the most barbarous ages, and totally unworthy the Head of a civilized nation.

He has constrained our fellow Citizens taken Captives on the high Seas to bear Arms against their Country, to become the executioners of their friends and Brethren, or to fall themselves by their Hands.

He has excited domestic insurrection amongst us, and has endeavoured to bring on the inhabitants of our frontiers, the merciless Indian Savages, whose known rule of warfare is an undistinguished destruction of all ages, sexes and conditions.

In every stage of these oppressions We have Petitioned for Redress in the most humble terms : Our repeated Petitions have been answered only by repeated injury. A Prince, whose character is thus marked by every act which may define a Tyrant, is unfit to be the ruler of a free People.

Nor have we been wanting in attention to our Brittish brethren. We have been warned from time to time of attempts by their legislature to extend an unwarrantable jurisdiction over us. We have reminded them of the circumstances of our

emigration and settlement here. We have appealed to their native justice and magnanimity, and we have conjured them by the ties of our common kindred to disavow these usurpations, which would inevitably interrupt our connections and correspondence. They too have been deaf to the voice of justice and of consanguinity. We must, therefore, acquiesce in the necessity, which denounces our Separation, and hold them, as we hold the rest of mankind, Enemies in War, in Peace, Friends.

We, therefore, the Representatives of the United States of America, in General Congress Assembled, appealing to the Supreme Judge of the world for the rectitude of our intentions, do in the Name, and by Authority of the good People of these Colonies, solemnly publish and declare, That these United Colonies are, and of right ought to be, Free and Independent States; That they are Absolved from all Allegiance to the British Crown, and that all political connection between them and the State of Great Britain is, and ought to be, totally dissolved; and that as Free and Independent States, they have full Power to levy War, conclude Peace, contract Alliances, establish Commerce, and to do other Acts and Things which Independent States may of right do. And for the support of this Declaration, with a firm reliance on the Protection of Divine Providence, we mutually pledge to each other our Lives, our Fortunes and our sacred Honour.

JOHN HANCOCK,

President.

NEW HAMPSHIRE.

Josiah Bartlett,
Wm. Whipple,
Matthew Thornton.

MASSACHUSETTS BAY.

Samuel Adams,
John Adams,
Robt. Treat Paine,
Eldridge Gerry.

RHODE ISLAND.

Step. Hopkins,
William Ellery.

CONNECTICUT.

Roger Sherman,
Samuel Huntington,
Wm. Williams,
Oliver Wolcott.

NEW YORK.

Wm. Floyd,
Phil. Livingston,
Frans. Lewis,
Lewis Morris.

NEW JERSEY.

Richd. Stockton,
Jno. Witherspoon,
Fras. Hopkinson,
John Hart,
Abra. Clark.

PENNSYLVANIA.

Robt. Morris,
Benjamin Rush,
Benja. Franklin,
John Morton,
George Clymer,
Jas. Smith,
Geo. Taylor,
James Wilson,
Geo Ross..

DELAWARE.

Cæsar Rodney,
George Read,
Tho. McKean.

MARYLAND.

Samuel Chase,
Wm. Paca,
Thos. Stone,
Charles Carroll of Carroll-
ton.

VIRGINIA.

George Whyte,
Richard Henry Lee,
Th. Jefferson,
Benja. Harrison,
Thos. Nelson, Jr.,
Francis Lightfoot Lee,
Carter Braxton.

NORTH CAROLINA.

Wm. Hooper,
Joseph Hewes,
John Penn.

SOUTH CAROLINA.

Edward Rutledge,
Thos. Heyward, Junr.,
Thomas Lynch, Junr.,
Arthur Middleton.

GEORGIA.

Button Gwinnett,
Lyman Hall,
George Walton.



CONSTITUTION
OF THE
UNITED STATES OF AMERICA,
WITH AMENDMENTS.

WE THE PEOPLE of the United States, in Order to form a more perfect Union, establish Justice, insure domestic Tranquility, provide for the common defence, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity, do ordain and establish this CONSTITUTION for the United States of America.

ARTICLE 1.

SECTION 1. All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives

SECTION. 2. The House of Representatives shall be composed of Members chosen every second Year by the People of the several States, and the Electors in each State shall have the Qualifications requisite for Electors of the most numerous Branch of the State Legislature.

No Person shall be a Representative who shall not have attained to the Age of twenty-five Years, and been seven Years a Citizen of the United States, and who shall not, when elected, be an inhabitant of that State in which he shall be chosen.

Representatives and direct Taxes shall be apportioned among the several States which may be included within this Union, according to their respective Numbers, which shall be determined by adding to the whole Number of free Persons, including those bound to Service for a Term of Years, and exclu-

ing Indians not taxed, three fifths of all other Persons. The actual Enumeration shall be made within three Years after the first Meeting of the Congress of the United States, and within every subsequent Term of ten Years, in such Manner as they shall by Law direct. The Number of Representatives shall not exceed one for every thirty Thousand, but each State shall have at Least one Representative; and until such enumeration shall be made, the State of New Hampshire shall be entitled to choose three, Massachusetts eight, Rhode Island and Providence Plantations one, Connecticut five, New-York six, New Jersey four, Pennsylvania eight, Delaware one, Maryland six, Virginia ten, North Carolina five, South Carolina five, Georgia three.

When vacancies happen in the Representation from any State, the Executive Authority thereof shall issue Writs of Election to fill such vacancies.

The House of Representatives shall choose their speaker and other Officers; and shall have the sole Power of Impeachment.

SECTION. 3. The Senate of the United States shall be composed of two Senators from each State, chosen by the Legislature thereof, for six Years; and each Senator shall have one Vote.

Immediately after they shall be assembled in Consequence of the first Election, they shall be divided as equally as may be into three Classes, The seats of the Senators of the first Class shall be vacated at the Expiration of the second Year, of the second Class at the Expiration of the fourth Year, and of the third Class at the Expiration of the sixth Year, so that one-third may be chosen every second Year; and if Vacancies happen by Resignation, or otherwise, during the Recess of the Legislature of any State, the Executive thereof may make temporary Appointments until the next Meeting of the Legislature, which shall then fill such Vacancies.

No person shall be a Senator who shall not have attained to the Age of thirty Years, and been nine Years a Citizen of the United States, and who shall not, when elected, be an Inhabitant of that State for which he shall be chosen.

The Vice President of the United States shall be President of the Senate, but shall have no Vote, unless they be equally divided,

The Senate shall choose their other Officers, and also a President pro tempore, in the Absence of the Vice President, or when he shall exercise the Office of President of the United States.

The Senate shall have the sole Power to try all Impeachments. When sitting for that Purpose, they shall be on Oath or Affirmation. When the President of the United States is tried, the Chief Justice shall preside: And no Person shall be convicted without the Concurrence of two-thirds of the Member present.

Judgment in Cases of Impeachment shall not extend further than to removal from Office, and disqualification to hold and enjoy any Office of honor, Trust or Profit under the United States; but the Party convicted shall nevertheless be liable and subject to Indictment, Trial, Judgment and Punishment, according to Law.

SECTION 4. The Times, Places and Manner of holding Elections for Senators and Representatives, shall be prescribed in each State by the Legislature thereof, but the Congress may at any time by Law make or alter such Regulations, except as to the Places of choosing Senators.

The Congress shall assemble at least once in every Year, and such Meeting shall be on the first Monday in December, unless they shall by Law appoint a different Day.

SECTION 5. Each House shall be the Judge of the Elections, Returns and Qualifications of its own Members, and a

Majority of each shall constitute a Quorum to do Business ; but a smaller number may adjourn from day to day, and may be authorized to compel the Attendance of absent Members, in such Manner, and under such Penalties as each House may provide.

Each House may determine the Rules of its Proceedings, punish its Members for disorderly Behaviour, and, with the concurrence of two-thirds, expel a member.

Each House shall keep a Journal of its proceedings, and from time to time publish the same, excepting such Parts as may, in their Judgment, require Secrecy ; and the Yeas and Nays of the Members of either House on any question shall, at the Desire of one fifth of those Present, be entered on the Journal.

Neither House, during the Session of Congress, shall, without the Consent of the other, adjourn for more than three days, nor to any other Place than that in which the two Houses shall be sitting.

SECTION 6. The Senators and Representatives shall receive a Compensation for their services, to be ascertained by Law, and paid out of the Treasury of the United States. They shall, in all Cases, except Treason, Felony and Breach of the Peace, be Privileged from Arrest during their Attendance at the Session of their respective Houses, and in going to and returning from the same ; and for any Speech or Debate in either House, they shall not be questioned in any other Place.

No Senator or Representetative shall, during the Time for which he was elected, be appointed to any civil Office under the Authority of the United States, which shall have been created, or the Emoluments whereof shall have been increased during such time ; and no person holding any Office under the United States, shall be a Member of either House during his Continuance in Office.

SECTION 7. All Bills for raising Revenue shall originate in the House of Representatives; but the Senate may propose or concur with Amendments as on other Bills.

Every Bill which shall have passed the House of Representatives and the Senate, shall, before it becomes a Law, be presented to the President of the United States; If he approve he shall sign it, but if not he shall return it, with his Objections to that House in which it shall have originated, who shall enter the Objections at large on their Journal, and proceed to reconsider it. If after such Reconsideration two thirds of that House shall agree to pass the Bill, it shall be sent, together with the Objections, to the other House, by which it shall likewise be reconsidered, and if approved by two thirds of that House, it shall become a Law. But in all such Cases the Votes of both Houses shall be determined by yeas and Nays, and the Names of the Persons voting for and against the Bill shall be entered on the Journal of each House respectively. If any Bill shall not be returned by the President within ten days (Sundays excepted) after it shall have been presented to him, the Same shall be a Law, in like Manner as if he had signed it, unless the Congress by their Adjournment prevent its Return, in which Case it shall not be a Law.

Every Order, Resolution, or Vote to which the Concurrence of the Senate and House of Representatives may be necessary (except on a question of Adjournment) shall be presented to the President of the United States; and before the Same shall take Effect, shall be approved by him, or being disapproved by him, shall be repassed by two thirds of the Senate and House of Representatives, according to the Rules and Limitations prescribed in the Case of a Bill.

SECTION 8. The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of

the United States; but all duties, Imposts and Excises shall be uniform throughout the United States;

To borrow Money on the credit of the United States;

To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes;

To establish an uniform Rule of Naturalization, and uniform Laws on the subject of Bankruptcies throughout the United States;

To coin Money, regulate the Value thereof, and of foreign Coin, and fix the Standard of Weights and Measures;

To provide for the Punishment of counterfeiting the Securities and current Coin of the United States;

To establish Post Offices and post Roads;

To promote the progress of Science and useful Arts, by securing for limited Times to Authors and Inventors the exclusive Right to their respective Writings and Discoveries;

To constitute Tribunals inferior to the supreme Court;

To define and punish Piracies and Felonies committed on the high Seas, and Offences against the Law of Nations;

To declare War, grant Letters of Marque and Reprisal, and make Rules concerning Captures on Land and Water;

To raise and support Armies, but no Appropriation of Money to that Use shall be for a longer Term than two Years;

To provide and maintain a Navy;

To make Rules for the Government and Regulation of the land and naval Forces;

To provide for calling forth the Militia to execute the Laws of the Union, suppress Insurrections and repel Invasions;

To provide for organizing, arming, and disciplining, the Militia, and for governing such Part of them as may be employed in the service of the United States, reserving to the States respectively, the Appointment of the Officers, and the Authority of training the Militia according to the discipline prescribed by Congress;

To exercise exclusive Legislation in all Cases whatsoever, over such District (not exceeding ten Miles square) as may, by Cession of particular States, and the Acceptance of Congress, become the Seat of the Government of the United States, and to exercise like Authority over all Places purchased by the Consent of the Legislature of the State in which the Same shall be, for the Erection of Forts, Magazines, Arsenals, dock-Yards, and other needful Buildings;—And

To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officers thereof.

SECTION 9. The Migration or Importation of such Persons as any of the States now existing shall think proper to admit, shall not be prohibited by the Congress prior to the Year one thousand eight hundred and eight, but a Tax or duty may be imposed on such Importation, not exceeding ten dollars for each Person.

The Privilege of the Writ of Habeas Corpus shall not be suspended, unless when in Cases of Rebellion or Invasion the Public Safety may require it.

No Bill of Attainder or ex post facto Law shall be passed.

No Capitation, or other direct Tax shall be laid, unless in Proportion to the Census or Enumeration hereinbefore directed to be taken.

No Tax or Duty shall be laid on Articles exported from any State.

No Preference shall be given by any Regulation of Commerce or Revenue to the Ports of one State over those of another; nor shall Vessels bound to, or from, one State, be obliged to enter, clear, or pay Duties in another.

No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law; and a regular State-

ment and Account of the Receipts and Expenditures of all public Money shall be published from time to time.

No Title of Nobility shall be granted by the United States ; And no Person holding any Office of Profit or Trust under them, shall, without the Consent of the Congress, accept of any present, Emolument, Office, or Title, of any kind whatever, from any King, Prince, or foreign State.

SECTION 10. No State shall enter into any Treaty, Alliance, or Confederation ; grant Letters of Marque and Reprisal ; coin Money ; emit Bills of Credit ; make any Thing but gold and silver Coin a Tender in Payment of Debts ; pass any Bill of Attainder, ex post facto Law, or Law impairing the Obligation of Contracts, or grant any Title of Nobility.

No State shall, without the Consent of the Congress, lay any Imports or Duties on Imports or Exports, except what may be absolutely necessary for executing its inspection Laws ; and the net Produce of all Duties and Imposts, laid by any State on Imports or Exports, shall be for the Use of the Treasury of the United States ; and all such Laws shall be subject to the Revision and Control of the Congress.

No State shall, without the Consent of Congress, lay any Duty on Tonnage, keep Troops, or Ships of War in time of Peace, enter into any Agreement or Compact with another State, or with a foreign Power, or engage in War, unless actually invaded, or in such eminent Danger as will not admit of delay.

ARTICLE II.

SECTION 1. The executive Power shall be vested in a President of the United States of America. He shall hold his Office during the Term of four Years, and, together with the Vice President, chosen for the same Term, be elected, as follows ;

Each State shall appoint, in such Manner as the Legislature may direct, a Number of Electors, equal to the whole Number of Senators and Representatives to which the State may be

entitled in the Congress : but no Senator or Representative, or Person holding an Office of Trust or Profit under the United States shall be appointed an Elector.

The Electors shall meet in their respective States, and vote by Ballot for two Persons, of whom one at least shall not be an Inhabitant of the same State with themselves. And they shall make a List of all the Persons voted for, and of the Number of Votes for each ; which List they shall sign and certify, and transmit to the Seat of the Government of the United States, directed to the President of the Senate. The President of the Senate shall, in the Presence of the Senate and House of Representatives, open all the Certificates, and the Votes shall then be counted. The Person having the greatest Number of Votes shall be the President, if such Number be a Majority of the whole Number of Electors appointed ; and if there be more than one who have such Majority, and have an equal Number of Votes, then the House of Representatives shall immediately choose by Ballot one of them for President ; and if no Person have a Majority, then from the five highest on the List the said House shall in like Manner choose the President. But in choosing the President, the Votes shall be taken by States, the Representation from each State having one Vote : A quorum for this Purpose shall consist of a Member or Members from two thirds of the States, and a Majority of all the States shall be necessary to a Choice. In every Case, after the Choice of the President, the Person having the greatest Number of Votes of the Electors shall be the Vice President. But if there should remain two or more who have equal Votes, the Senate shall choose from them by Ballot the Vice President.

The Congress may determine the Time of choosing the Electors, and the Day on which they shall give their Votes ; which Day shall be the same throughout the United States.

No person except a natural born Citizen, or a Citizen of the

United States, at the time of the Adoption of this Constitution, shall be eligible to the Office of President; neither shall any person be eligible to that Office who shall not have attained the Age of thirty-five Years, and been fourteen Years a Resident within the United States.

In Case of the Removal of the President from Office, or of his Death, Resignation, or Inability to discharge the Powers and Duties of the said Office, the Same shall devolve on the Vice President, and the Congress may by Law provide for the Case of Removal, Death, Resignation or Inability, both of the President and Vice President, declaring what Officer shall then act as President, and such Officer shall act accordingly, until the Disability be removed, or a President shall be elected.

The President shall, at stated Times, receive for his Services, a Compensation, which shall neither be increased or diminished during the Period for which he shall have been elected, and he shall not receive within that Period any other Emolument from the United States, or any of them.

Before he enter on the Execution of his Office, he shall take the following Oath of Affirmation :—" I do solemnly swear (or affirm) that I will faithfully execute the Office of President of the United States, and will to the best of my Ability, preserve, protect and defend the Constitution of the United States."

SECTION 2. The President shall be Commander in Chief of the Army and Navy of the United States, when called into the actual service of the United States; he may require the Opinion, in writing, of the principal Officer in each of the executive Departments, upon any Subject relating to the Duties of their respective Offices, and he shall have Power to grant Reprieves and Pardons for Offences against the United States, except in Cases of Impeachment.

He shall have Power, by and with the Advice and Consent

of the Senate, to make Treaties, provided two-thirds of the Senators present concur; and he shall nominate, and by and with the Advice and Consent of the Senate, shall appoint Ambassadors, other public Ministers and Consuls, Judges of the Supreme Court, and all other Officers of the United States, whose Appointments are not herein otherwise provided for, and shall be established by law: but the Congress may by Law vest the Appointment of such inferior Officers, as they think proper, in the President alone, in the Courts of Law, or in the Heads of Departments.

The President shall have power to fill up all Vacancies that may happen during the Recess of the Senate, by granting Commissions which shall expire at the End of their next Session.

SECTION 3. He shall from time to time give to the Congress Information of the State of the Union, and recommend to their Consideration such measures as he shall judge necessary and expedient; he may, on extraordinary occasions, convene both Houses, or either of them, and in Case of Disagreement between them, with Respect to the Time of Adjournment, he may adjourn them to such Time as he shall think proper; he shall receive Ambassadors and other public Ministers: he shall take Care that the Laws be faithfully executed, and shall Commission all the Officers of the United States.

SECTION 4. The President, Vice President and all civil Officers of the United States, shall be removed from Office on Impeachment for, and Conviction of Treason, Bribery, or other high Crimes and Misdemeanors.

ARTICLE III.

SECTION 1. The Judicial Power of the United States, shall be vested in one supreme Court, and in such inferior Courts as the Congress may from time to time ordain and establish. The Judges, both of the supreme and inferior Courts, shall hold their

Offices during good behaviour, and shall, at stated Times, receive for their Services, a Compensation, which shall not be diminished during their Continuance in Office.

SECTION 2. The judicial Power shall extend to all Cases in Law and Equity, arising under this Constitution, the Laws of the United States, and Treaties made, or which shall be made, under their Authority ;—to all Cases affecting Ambassadors, or public Ministers and Consuls ; to all Cases of Admiralty and maritime Jurisdiction ;—to Controversies to which the United States shall be a Party ;—to Controversies between two or more States ;—between a State and a Citizen of another State ;—between Citizens of different States,— between Citizens of the same State claiming Lands under Grants of different States, and between a State, or the Citizens thereof, and foreign States, Citizens or Subjects.

In all Cases affecting Ambassadors, other public Ministers and Consuls, and those in which a State shall be a Party, the supreme Court shall have original Jurisdiction. In all the other Cases before mentioned, the supreme Court shall have appellate Jurisdiction, both as to Law and Fact, with such Exceptions, and under such Regulations as the Congress shall make.

The Trial of all Crimes, except in Cases of Impeachment, shall be by Jury ; and such Trial shall be held in the State where the said Crimes shall have been committed ; but when not committed within any State, the Trial shall be at such Place or Places as the Congress may by Law have directed.

SECTION 3. Treason against the United States, shall consist only in levying War against them or in adhering to their Enemies, giving them Aid and Comfort. No Person shall be convicted of Treason unless on the Testimony of two Witnesses to the same overt Act, or on Confession in open Court.

The Congress shall have Power to declare the Punishment of Treason, but no Attainder of Treason shall work Corruption of Blood, or Forfeiture except during the Life of the Person attainted.

ARTICLE IV.

SECTION 1. Full Faith and Credit shall be given in each State to the public Acts, Records, and judicial Proceedings of every other State. And the Congress may by general Laws prescribe the Manner in which such Acts, Records and Proceedings shall be proved, and the Effect thereof.

SECTION 2. The Citizens of each State shall be entitled to all Privileges and Immunities of Citizens in the several States.

A Person charged in any State with Treason, Felony, or other Crime, who shall flee from Justice, and be found in another State, shall on Demand of the executive Authority of the State from which he fled, be delivered up to the State having Jurisdiction of the Crime.

No Person held to Service or Labour in one State, under the Laws thereof, escaping into another, shall, in Consequence of any Law or Regulation therein, be discharged from such Service of Labor, but shall be delivered up on Claim of the party to whom such Service or Labour may be due.

SECTION 3. New States may be admitted by the Congress into the Union; but no new State shall be formed or erected within the Jurisdiction of any other State; nor any State be formed by the Junction of two or more States, or Parts of States, without the Consent of the Legislatures of the States concerned as well as of the Congress,

The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and nothing in this Constitution shall be so construed as to Prejudice any

Claims of the United States, or of any particular State.

SECTION 4. The United States shall guarantee to every State in this Union a Republican Form of Government, and shall protect each of them against Invasion; and on Application of the Legislature, or of the Executive (when the Legislature cannot be convened) against domestic Violence.

ARTICLE V.

The Congress, whenever two thirds of both Houses shall deem it necessary, shall propose Amendments to this Constitution, or, on the Application of the Legislatures of two thirds of the several States, shall call a Convention for proposing Amendments, which, in either Case, shall be valid to all Intents and Purposes, as Part of this Constitution, when ratified by the Legislatures of three fourths of the several States, or by Conventions in three fourths thereof, as the one or the other Mode of Ratification may be proposed by the Congress; Provided that no Amendment which may be made prior to the Year One thousand eight hundred and eight shall in any Manner affect the first and fourth Clauses in the Ninth Section of the first Article; and that no State, without its Consent, shall be deprived of its equal Suffrage in the Senate.

ARTICLE VI.

All Debts contracted and Engagements entered into, before the Adoption of this Constitution, shall be valid against the United States under this Constitution as under the Confederation.

This Constitution and the Laws of the United States which shall be made in Pursuance thereof; and all Treaties made, or which shall be made, under the Authority of the United States, shall be the supreme Law of the Land; and the Judges in every State shall be bound thereby, any Thing in the Constitution or Laws of any State to the Contrary notwithstanding.

The Senators and Representatives before mentioned, and the Members of the several State Legislatures, and all executive and judicial Officers, both of the United States and of the several States, shall be bound by Oath or Affirmation, to support the Constitution; but no religious test shall ever be required as a Qualification to any Office or Public Trust under the United States.

ARTICLE VII.

The Ratification of the Conventions of nine States, shall be sufficient for the Establishment of this Constitution between the States so ratifying the Same.

DONE in Convention by the Unanimous Consent of the States present the Seventeenth Day of September in the Year of our Lord one thousand seven hundred and Eighty seven and of the Independence of the United States of America the Twelfth. *In Witness* whereof We have hereunto subscribed our Names,

Go: WASHINGTON,—

Presidt. and deputy from Virginia.

NEW HAMPSHIRE.

John Langdon
Nicholas Gilman.

MASSACHUSETTS.

Nathaniel Gorham,
Rufus King.

CONNECTICUT.

Wm. Sam'l Johnson,
Roger Sherman.

NEW YORK.

Alexander Hamilton.

NEW JERSEY.

Wil: Livingston,
David Brearley,
Wm. Paterson,
Jona: Dayton.

PENNSYLVANIA.

B. Franklin,
Thomas Mifflin,
Robt. Morris,
Geo. Clymer,
Thos. Fitzsimons,
Jared Ingersoll,
James Wilson,
Gouv. Morris.

DELAWARE.

Geo: Read,
Gunning Bedford, Jun.,
John Dickinson,
Richard Bassett,
Jaco: Broom.

MARYLAND.

James McHenry,
Dan of St Thos. Jenifer,
Dan'l. Carroll.

VIRGINIA.

John Blair,
James Madison Jr.

NORTH CAROLINA.

Wm. Blount,
Richd. Dobbs Spaight,
Hu Williamson.

SOUTH CAROLINA.

J. Rutlege,
C. Cotesworth Pinckney,
Charles Pinckney,
Pierce Butler.

GEORGIA.

William Few,
Abr. Baldwin.

Attest, WILLIAM JACKSON,
Secretary.

ARTICLES.

IN ADDITION TO AND AMENDMENT OF
THE CONSTITUTION OF THE UNITED STATES OF AMERICA,

ARTICLE I.

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.

ARTICLE II.

A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms shall not be infringed.

ARTICLE III.

No Soldier shall, in time of peace, be quartered in any house, without the consent of the Owner, nor in time of war, but in a manner to be prescribed by law.

ARTICLE IV.

The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and

seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or Affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

ARTICLE V.

No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a Grand Jury, except in cases arising in the land or naval forces, or in the Militia, when in actual service in time of War or public danger; nor shall any person be subject for the same offence to be twice put in jeopardy of life or limb; nor shall be compelled in any Criminal Case to be a witness against himself, nor be deprived of life, liberty or property, without due process of law; nor shall private property be taken for public use, without just compensation.

ARTICLE VI.

In all criminal prosecutions, the accused shall enjoy the right to speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with witnesses against him; to have compulsory process for obtaining Witnesses in his favor, and to have the Assistance of Counsel for his defence.

ARTICLE VII.

In suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved and no fact tried by a jury shall be otherwise re-examined in any Court of the United States, than according to the rules of common law.

ARTICLE VIII.

Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.

ARTICLE IX.

The enumeration in this Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people.

ARTICLE X.

The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively or to the people.

ARTICLE XI.

The Judicial power of the United States shall not be construed to extend to any suit in law or equity, commenced or prosecuted against one of the United States by Citizens of another State, or by Citizens or Subjects of any Foreign State.

ARTICLE XII.

The Electors shall meet in their respective States, and vote by ballot for President and Vice-President, one of whom at least, shall not be an inhabitant of the same State with themselves; they shall name in their ballots the persons voted for as President, and of all persons voted for as Vice President, and of the number of votes for each, which lists they shall sign and certify, and transmit sealed to the seat of government of the United States, directed to the President of the Senate; The President of the Senate shall, in the presence of the Senate and House of Representatives, open all the certificates and the votes shall then be counted;—The person having the greatest number of votes for President, shall be the President, if such number be a majority of the whole number of Electors appointed; and if no person have such majority, then from the persons having the highest numbers not exceeding three on the list of those voted for as President, the House of Representatives shall choose immediately, by ballot, the President. But in choosing the President, the votes shall be taken by States, the representation

from each State having one vote; a quorum for this purpose shall consist of a member or members from two-thirds of the States, and a majority of all the States shall be necessary to a choice. And if the House of Representatives shall not choose a President whenever the right of choice shall devolve upon them, before the fourth day of March next following, then the Vice-President shall act as President, as in the case of the death or other constitutional disability of the President. The person having the greatest number of votes as Vice-President, shall be the Vice-President, if such number be a majority of the whole number of Electors appointed, and if no person have a majority, then from the two highest numbers on the list, the Senate shall choose the Vice-President; a quorum for the purpose shall consist of two-thirds of the whole number of Senators, and a majority of the whole number shall be necessary to a choice. But no person constitutionally ineligible to that of President shall be eligible to that of Vice-President of the United States.

ARTICLE XIII.

SECTION 1. Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction.

SECTION 2. Congress shall have power to enforce this article by appropriate legislation.

ARTICLE XIV.

SECTION 1. All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

SECTION 2. Representatives shall be apportioned among the several States according to their respective numbers, counting the whole number of persons in each State, excluding Indians not taxed. But when the right to vote at any election for the choice of electors for President and Vice-President of the United States, Representatives in Congress, the Executive and Judicial officers of a State, or the members of the Legislature thereof, is denied to any of the male inhabitants of such State, being twenty-one years of age, and citizens of the United States, or in any way abridged, except for participation in rebellion, or other crime, the basis of representation therein shall be reduced in the proportion which the number of such male citizens shall bear to the whole number of male citizens twenty-one years of age in such State.

SECTION 4. No person shall be a Senator or Representative in Congress, or Elector of President and Vice-President, or hold any office, civil or military, under the United States, or under any State, who, having previously taken an oath as a member of Congress, or as an officer of the United States, or as a member of any State legislature, or as an executive or judicial officer of any State, to support the Constitution of the United States, shall have engaged in insurrection or rebellion against the same, or given aid or comfort to the enemies thereof. But Congress may by a vote of two-thirds of each House remove such disability.

SECTION 4. The validity of the public debt of the United States, authorized by law, including debts incurred for payment of pensions and bounties for services in suppressing insurrection or rebellion, shall not be questioned. But neither the United States nor any State shall assume or pay any debt or obligation incurred in aid of insurrection or rebellion against the United States, or any claim for the loss or emancipation of any slave; but all such debts, obligations and claims shall be

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held illegal and void,

SECTION 5. The Congress shall have power to enforce, by appropriate legislation, the provisions of this article.

ARTICLE XV.

SECTION 1. The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude.

SECTION 2. The Congress shall have power to enforce this article by appropriate legislation.



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